

**FOR ENDORSEMENT AND
FORWARDING TO THE
GOVERNING COUNCIL****PUBLIC****CLOSED SESSION**

TO: Executive Committee

SPONSOR: Professor Cheryl Regehr, Vice-President & Provost
CONTACT INFO: 416-978-2122, provost@utoronto.ca

PRESENTER: Professor Heather Boon, Vice- Provost, Faculty & Academic Life,
CONTACT INFO: vp.fal@utoronto.ca

DATE: October 13, 2020 for October 20, 2020

AGENDA ITEM: 4(b)

ITEM IDENTIFICATION:

Proposed revisions to the *Policy and Procedures on Employment Conditions for Part-time Academic Staff* (Part-Time Policy); and amendments to the *Policy and Procedures on Academic Appointments* (PPAA) and the *Policy and Procedures Governing Promotions in the Teaching Stream* (PPPTS) both relating to part-time faculty.

JURISDICTIONAL INFORMATION:

The Academic Board “is concerned with matters affecting the teaching, learning, and research functions of the University.” In addition, “matters having significant impact on the University as a whole...will normally require the approval of the Governing Council.” (*Academic Board, Terms of Reference, Section 4*)

“Policies on the nature of academic employment are assigned to the Academic Board. These encompass policies on the appointment, promotion, tenure, suspension and removal of teaching staff, as well as policies on the conduct of academic work, such as the policies on research leave and on academic freedom and responsibilities.” (*Academic Board, Terms of Reference, Section 5.2.1 (a)*)

Section 31(b) of Governing Council By-Law Number 2 states that the Governing Council has authority to act “with respect to agreements with the teaching or administrative staff of the University concerning the remuneration or benefits, terms of employment, rights or privileges available to employees of the University that are directly related to compensation or that are negotiated in a collective fashion for a class or group of employees of the University.” It specifies that issues pertaining to academic employment are reviewed by Academic Board.

GOVERNANCE PATH:

1. Business Board [for recommendation] (October 6, 2020)
2. Academic Board [for recommendation] (October 8, 2020)
3. **Executive Committee [for endorsement and forwarding] (October 20, 2020)**
4. Governing Council [for approval] (October 29, 2020)

PREVIOUS ACTION TAKEN:

The Governing Council of the University of Toronto first approved a Memorandum of Agreement (MOA) between the University and the University of Toronto Faculty Association (UTFA) on June 28, 1977, as amended from time to time and last consolidated on July 1, 2016. Article 2 of the MOA states that the University will not change the policies and practices listed except by the mutual consent of the parties. The Part-Time Policy; and the PPAA are listed in Article 2(a) of the MOA.

The proposed revision of the Part-Time Policy, 1994; and the amendments to the PPAA, 2015 and the PPPTS, 2016 relative to part-time faculty have been agreed upon by the University of Toronto and the UTFA, subject to approval by the Governing Council. The parties also reached agreement on a Transition Framework which is Appendix B of the May 7, 2020 Memorandum of Settlement (the Agreement) appended here.

The agreement between the University of Toronto and UTFA received approval by UTFA Council on May 20, 2020.

HIGHLIGHTS:

Subject to approval by Governing Council, the University of Toronto and UTFA have reached an agreement on a revision of the Part-Time Policy, 1994 and amendments to associated policies on May 7, 2020 expertly facilitated by William Kaplan. UTFA Council ratified the agreement on May 20, 2020. The proposed changes to the policies are now coming forward to Governing Council for approval. The proposed changes which have been agreed to between the parties include a revision of the Part-Time Policy; and amendments PPAA and the PPPTS both relating to part-time faculty. In addition, the parties agreed to a Transition Framework (Appendix B of the Agreement) that details how the revised Part-time Policy and amendments to the PPAA will be rolled out following approval. This Transition Framework is appended for reference as part of the Agreement.

Revision of the Part-time Policy

The proposed changes to the Part-time Policy are intended to modernize the terms and conditions of employment of part-time faculty members at the University of Toronto and reflect the important role they play at the University. There are over 350 faculty who currently hold part-time appointments. The Office of the Vice-Provost, Faculty & Academic Life (VPFAL) has written to all faculty currently appointed under the Part-time Policy to provide them with information about the proposed revision of the policy and the timeline in governance. The VPFAL Office has also written to each Faculty providing implementation information

concerning the new policy. The VPFAL will work in collaboration with Dean's Offices to ensure that the revised policy and Transition Framework agreed to are followed and operationalized once the changes are approved by Governing Council. (Please note that the changes being brought forward will not affect status only or adjunct faculty in any way).

Key changes to the Part-time Policy:

1. Change the title of the policy to bring it in line with contemporary norms from Policy and Procedures on Employment Conditions of Part-time Academic Staff to Policy and Procedures on Employment Conditions of Part-time Faculty.
2. Define part-time as a full-time equivalent (FTE) appointment of 20-75%.
3. Establish professorial rank and titles for part-time faculty in the teaching stream.
4. Establish term of initial appointment as 1 year, or up to 2 years.
5. Establish renewal terms of appointment as 1-2 years for no more than a total of 6 years and establishes set notification period for renewal.
6. Clarify that term limited appointments will terminate automatically in accordance with their terms unless previously renewed in writing.
7. Establish, if renewed for a sixth year, that the faculty member must be considered for a continuing appointment in sixth year. There is a provision for delay for personal circumstances.
8. Clarify that timelines for part-time faculty with previous contractually limited term appointments (CLTAs) will normally include time as a CLTA.
9. Establish clearly articulated notice and severance provisions for part-time faculty with continuing appointments who are terminated without cause.
10. Clarify
 - a. Workload expectations and FTE calculation
 - b. Eligibility for pension and benefits
 - c. Eligibility for PTR (Progression through the ranks) merit pay
 - d. Service expectations
 - e. Eligibility for research and study leave (RSL)
 - f. Eligibility for graduate faculty membership
 - g. PI (principal investigator) Eligibility
11. Remove Section 5 regarding FTE reductions for tenured faculty (insert new language in the PPAA)

Transition Framework:

The agreement includes a detailed transition framework for faculty currently appointed under the Part-time Policy as follows:

- Title and rank changes will take effect immediately on approval by Governing Council for all part-time teaching stream faculty. Specifically, the Framework provides that "The ranks and

titles of part-time teaching stream faculty members will change from the current titles of Lecturer and Senior Lecturer to Assistant Professor, Teaching Stream and Associate Professor, Teaching Stream respectively on the date the new Policy is approved by Governing Council.”

- Following January 1, 2021, offers of part-time appointment contracts whether initial or renewals will be in accordance with the terms and conditions of the new Policy.
- The current Policy and Procedures on Employment Conditions of Part-time Academic Staff (1994) will remain in limited effect for the duration of the terms of those who were appointed under it.
- Entitlements under the Transition Framework depend on the history and length of previous appointments and whether or not their contract is renewed.

Amendments to the PPAA

At the same time, the parties agreed on proposed changes to the PPAA that will incorporate the terms and conditions for faculty with tenure or continuing status who wish to reduce their percentage appointment.

Key changes to the PPAA:

1. Define a part-time appointment as one that does not exceed 75% FTE
2. Establish a specific provision for faculty appointed under the PPAA who wish to reduce their FTE
3. State that requests to reduce FTE to part-time will not be unreasonably denied
4. Establish a normal minimum of 20% FTE
5. Establish a normal limit of 3 consecutive years on reduction of appointment to part-time FTE

There are fewer than 50 faculty with tenure or continuing status who are currently employed on an FTE of 75% or less.

Transition Framework:

The agreement includes a detailed Transition Framework governing faculty with tenure or continuing status who are currently employed on an FTE of 75% or less. Pending approval of the revised policy in governance, all tenured and continuing teaching stream faculty employed on a part-time FTE who may be affected by the change in the PPAA will receive a personalized letter outlining how the changes may affect them.

Amendments to the PPPTS

The parties also agreed that part-time teaching stream faculty may be promoted following the same criteria and procedures as for full-time teaching stream faculty with an appropriately reduced expectation as to the quantity of work. This necessitates an amendment to the PPPTS as per the attached.

FINANCIAL IMPLICATIONS:

There are no financial implications.

RECOMMENDATION:

Be It Resolved

THAT the following recommendation be endorsed and forwarded to the Governing Council

THAT the *Memorandum of Settlement Between the University of Toronto Faculty Association and the University Administration*, dated May 7, 2020, regarding the *Policy and Procedures on Employment Conditions of Part-time Faculty* be approved, effective immediately; and

THAT revisions to *Policy and Procedures on Employment Conditions of Part-time Academic Staff* be approved, effective January 1, 2021; and

THAT the amendments to *Policy and Procedures on Academic Appointments* be approved, effective January 1, 2021; and

THAT the agreement that the ranks and titles of part-time teaching stream faculty members change from the current titles of Lecturer and Senior Lecturer to Assistant Professor, Teaching Stream and Associate Professor, Teaching Stream be approved, effective immediately.

THAT the amendments to *Policy and Procedures Governing Promotions in the Teaching Stream* be approved, effective January 1, 2021.

DOCUMENTATION PROVIDED:

1. Agreement dated May 7, 2020 on proposed revisions to the Policy and Procedures on Employment Conditions of Part-time Academic Staff, 1994 including Appendix B: “Transition Framework”
2. Track changes copy of the Policy and Procedures on Employment Conditions of Part-time Academic Staff, 1994
3. Clean version of the revised Policy and Procedures on Employment Conditions of Part-time Academic Faculty
4. Track changes copy of the Policy and Procedures on Academic Appointments (PPAA), 2015
5. Clean version of the Policy and Procedures on Academic Appointments (PPAA) as amended
6. Track changes copy of the Policy and Procedures Governing Promotions in the Teaching Stream (PPPTS), 2016
7. Clean version of the Policy and Procedures Governing Promotions in the Teaching Stream (PPPTS) as amended

MAY 7, 2020 5:45 pm CONFIDENTIAL AND WITHOUT PREJUDICE UNIVERSITY OF
TORONTO AND UTFA MEMORANDUM OF SETTLEMENT

IN THE MATTER OF FACILITATED NEGOTIATIONS WITH FACILITATOR KAPLAN
REGARDING THE POLICY AND PROCEDURES ON EMPLOYMENT CONDITIONS
OF PART-TIME FACULTY (THE "POLICY")

BETWEEN:

THE UNIVERSITY OF TORONTO

(THE "UNIVERSITY")

-AND-

THE UNIVERSITY OF TORONTO FACULTY ASSOCIATION

(THE "ASSOCIATION")

MEMORANDUM OF SETTLEMENT

WHEREAS the parties engaged in facilitated negotiations with the assistance of William Kaplan as facilitator regarding a new Policy and matters related thereto;

AND WHEREAS the parties wish to resolve any and all issues regarding a new Policy and matters related thereto;

NOW THEREFORE the parties agree as follows:

1. The undersigned representatives of the Association agree that they will recommend that UTFA Council approve the terms and conditions of this Memorandum of Settlement.
2. Following approval of the terms and conditions of this Memorandum of Settlement by UTFA Council, the undersigned representatives of the University Administration agree to recommend that Governing Council approve the amendments to the Policy and to the Policy and Procedures on Academic Appointments(the "PPAA") as set out in the terms and conditions of this Memorandum of Settlement such that the new Policy and the amended PPAA will become effective January 1, 2021, if approved by Governing Council.
3. The parties agree that the new Policy referred to in paragraph 2 is attached hereto as Appendix A.

4. The parties agree that the Transition Framework related to the new Policy is attached hereto as Appendix B.
5. The parties agree that the amendments to the PPAA referred to in paragraph 2 above are attached hereto as Appendix C.
6. It is understood and agreed that the terms and conditions of this Memorandum of Settlement and/or Appendix A, B or C attached hereto are intended to be and shall remain strictly confidential and will not be disclosed before May 31, 2020. It is understood and agreed that UTFA will be providing a copy of this Memorandum of Settlement to members of UTFA Council after 4 pm on May 14, 2020 on the understanding that all members of UTFA Council will be bound by this confidentiality clause and that UTFA will advise them accordingly. Vice-Provost, Faculty & Academic Life Heather Boon and UTFA President Cynthia Messenger will discuss and agree on the timing of the public announcement regarding same.
7. This Memorandum of Settlement is made without prejudice or precedent to the rights of the University or the Association in any other matter.
8. This Memorandum of Settlement may be executed in any number of counterparts with the same effect as if all parties had signed the same document. All counterparts, including facsimile or email PDF signatures, shall be construed together, and shall constitute one and the same agreement.

FOR THE UNIVERSITY



Heather Boon

Vice-Provost, Faculty & Academic Life

FOR UTFA



UTFA President

APPENDIX "A"

**May 7, 2020 U OF T AND UTFA WITHOUT PREJUDICE AND CONFIDENTIAL
FACILITATION REGARDING THE PART-TIME POLICY**

SUBJECT TO FINAL AGREEMENT ON ALL UNRESOLVED ISSUES

UNIVERSITY MAY 7, 2020 PROPOSAL THROUGH FACILITATOR KAPLAN

U OF T PROPOSAL

**Created by accepting all track changes in the University's April 24, 2020
proposal and new amendments in track changes.**

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University of Toronto
Governing Council

Policy and Procedures on Employment Conditions
of Part-time Faculty

[Date], 2019

To request an official copy of this policy, contact:

The Office of the Governing Council

Room 106, Simcoe Hall

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University of Toronto

Toronto, Ontario

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Phone: 416-978-6576

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Website: <http://www.governingcouncil.utoronto.ca/>

Policy and Procedures on Employment Conditions of Part-time Faculty

Part-time faculty appointed under this Policy are “faculty members” for the purposes of the Memorandum of Agreement between the University and the Association and accordingly the provisions of Article 5: Academic Freedom and Responsibilities of that Memorandum of Settlement apply to part-time faculty members appointed under this Policy.

This policy does not apply to tenure stream or continuing status teaching stream faculty members who must be appointed under the Policy and Procedures on Academic Appointments (“PPAA”). Other part-time faculty appointments are made under this policy as referred to in the Memorandum of Agreement between the Governing Council of the University of Toronto and the University of Toronto Faculty Association (“the Memorandum of Agreement”).

A part-time appointment is one that does not exceed 75 per cent of full-time employment and is not less than 20 per cent of full-time employment¹. When an appointment is considered to be part-time, the fraction of the time for which the individual is to be appointed shall be computed on the basis of the expected workload of the individual divided by the workload of a comparable full-time faculty member over the period of employment.

(1) Appointments at all part-time ranks shall normally be one year's length in duration but may also be up to two year's length in duration.

(2) (a) Appointments may be made to any academic rank on a part-time basis.

(b) Appointment to the ranks of Assistant Professor, Teaching Stream; Associate Professor, Teaching Stream; Professor, Teaching Stream; Assistant Professor; Associate Professor or Professor should be reserved for those individuals who bear a similar responsibility in terms of teaching, research/scholarship and service, to full-time appointments.

(c) Divisions wishing to describe part-time professorial appointments as adjunct or visiting may retain the title but the rank shall also be specified, e.g., Adjunct Assistant Professor.

(3) Grievance procedures for part-time faculty members shall be pursuant to Article 7 of the Memorandum of Agreement.

(4) An appointment may be renewed for one or two years at the option of the department and the part-time faculty member should not expect continuation of the appointment. In the event an appointment is to be renewed, the department will endeavor to provide written notice of the renewal at least two (2) months in advance of the end date of the appointment, failing which the appointment will end in accordance with its terms. For clarity, failure to provide at least two months' written notice does not preclude the renewal of the appointment at a later time. There shall be no more than six (6) successive annual appointments or successive appointments

¹ The 20% minimum will apply to appointments made after these amendments become effective. Those currently appointed at less than 20% will be grandparented for the full term of their employment with the University. For clarity, part-time faculty members appointed at less than 20% when the new part-time policy becomes effective would be covered by the transitional provisions and the new part-time policy in the same way as their colleagues with appointments greater than 20% except that the requirement that part-time appointments not be less than 20% of full-time employment would be waived.

totaling six years before the part-time faculty member will be considered for continuing appointment in accordance with 7(a) below.

(5) All part-time faculty members shall be eligible for participation in the pension plan according to present policy. In addition, part-time faculty members holding appointments of 25 per cent or more shall be eligible for other benefits on a pro-rated basis.

(6) All part-time faculty members are eligible for consideration for PTR awards in accordance with the relevant policies and procedures on a pro-rated basis.

(7)

(a) During the sixth (6th) year of a period of successive one year and/or two year appointments, a part-time faculty member will be considered for continuing appointment as a part-time faculty member in accordance with (b) below on the terms set out in this policy.

(b) Where a part-time faculty member is being considered for continuing appointment pursuant to (a) above, the part-time faculty member must be reviewed during the sixth (6th) year of a period of successive one-year and/or two-year appointments, with the review to be conducted before December 31. If the review is successful the part-time faculty member will be provided continuing appointment as a part-time faculty member at the same percentage appointment as the part-time member's contract at the time the review was conducted unless the part-time faculty member and the unit head (with the approval of the division head and the Vice-President & Provost) agree to a different percentage. If the review is not successful, the part-time faculty member's contract will end in accordance with its terms and this Policy and will not be renewed. The review shall be the same as that of interim review for Assistant Professor and probationary review for Assistant Professor, Teaching Stream, pursuant to the relevant provisions of the PPAA, it being understood that the part-time faculty member is expected to have made achievements in teaching and research/scholarship during the course of their

employment. Significant service contributions may also be considered.. The review committee should consider two questions:

(i) Has the part-time faculty member's performance been sufficiently satisfactory for a continuing appointment to be recommended?

(ii) If a continuing appointment is recommended, what counselling should be given to the part-time faculty member to assist them to improve areas of weakness and maintain areas of strength?

(c) Where a part-time faculty member appointed under this policy was previously employed at the University in a Contractually Limited Term Appointment (CLTA) position in the same academic unit as their part-time faculty appointment, years of CLTA appointment shall normally be included when determining the application of this policy to that part-time faculty member. For example: a faculty member who had served five successive years in a CLTA position in the same academic unit could be appointed to a one year contract and considered for continuing employment in accordance with (b) above during what would be for the purposes of this policy their sixth successive year.

(d) Review for Continuing Appointment

Where there is a review for a continuing appointment and the review is not successful and the part-time faculty member will not be offered a continuing appointment, the non-continuation or non-renewal of the part-time appointment cannot be the subject of a grievance under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement. A claim that the non-renewal of a part-time appointment breached Article 9: No Discrimination of the Memorandum of Agreement or was made in bad faith or as a reprisal for the exercise of academic freedom may be appealed. In the multi-departmental divisions, the appeal will be considered by the Principal or Dean. In other divisions, the appeal will be considered by a Principal or Dean designated for this purpose by the Vice-President & Provost. Where the appellant is cross-appointed, the person to hear the appeal will be determined according to the division in which the appellant holds their primary appointment. Appeals must be made in writing within fifteen (15) working days of the non-renewal of the part-time appointment and the appellant informed of the decision within twenty (20) working days of the appeal. The decision of the Principal or Dean may be appealed to the Vice-President & Provost within ten (10) days. The Vice-President & Provost's decision will be final and cannot be grieved under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement.

(e) Exceptions to the requirement that employment be successive can be made by the Vice-President & Provost.

(8) Part-time faculty members appointed under this policy shall normally be expected to participate in departmental administrative activities as appropriate unless otherwise agreed to in writing with the unit head. The contribution will be proportionately reduced in accordance with their full-time equivalency. Such service will be assessed as part of the annual merit process.

(9) A faculty member on 50 percent or greater appointment shall be entitled to apply for research and study leave in accordance with the provisions of the Memorandum of Agreement.

(10) Part-time faculty members appointed under this policy shall be eligible for appointment to the graduate faculty upon recommendation of the unit head to the Dean of the School of Graduate Studies under the same terms as full-time faculty in their division. Whether a faculty member is full or part time does not affect eligibility to act as a Principal Investigator or their eligibility to apply for grants or awards provided they are otherwise eligible.

(11) The criteria and procedures for promotion through the ranks shall be the same as for full-time faculty members with an appropriately reduced expectation as to the quantity of work.

(12) Delay in Review

Part-time faculty members who are scheduled to be considered for continuing appointments pursuant to 7(a) above may make a written request for delay in their review for continuing appointment due to pregnancy and/or parental or adoption leave or serious circumstances beyond their control such as illness or injury. The leave or serious circumstances must have occurred during their appointment as a part-time faculty member.

Delays may be granted for one year, but not more than two years, with the written approval of the Vice-President & Provost. Written requests by a part-time faculty member for further delays based on the provisions of the *Ontario Human Rights Code* as amended from time to time will be considered by the Vice-President & Provost on a case-by-case basis, it being understood and agreed that such requests must be made by the member in writing at the earliest opportunity (i.e. as soon as a part-time member knows or reasonably ought to know that their review for continuing appointment may warrant a delay based on the provisions of the *Code*.)

(13) Termination of Employment

1. Termination other than for Cause

(a) Term limited appointments will terminate automatically in accordance with their terms unless previously renewed in writing. Acceptance of a term limited appointment constitutes written receipt of notice that the employment will terminate on the end date as set out in the appointment, except as otherwise provided above.

(b) The continuing appointment of a faculty member appointed under this policy may be terminated by the University for reasons that do not amount to cause for termination.

When the University decides to terminate a continuing appointment without cause, the part-time faculty member will be provided with two (2) months' working notice of termination plus, at the end of the period of working notice, severance pay on the basis of one (1) month's pay per completed year of continuous service* with the University, to a maximum of twenty-two (22) months** (i.e. a combined maximum of working notice and severance pay of twenty-four (24) months). In no case will an employee receive less working notice or compensation in lieu thereof than the minimum working notice required under the Employment Standards Act, 2000 as amended from time to time (the "ESA") or less severance pay than the severance pay, if any, required under the ESA. Notice of termination shall be in writing. Severance pay will be based on the faculty member's salary at the time the two (2) months' working notice is provided or the average of the faculty member's salary over the preceding thirty-six (36) months, whichever is greater.

*Continuous service is defined as years of service that are counted under this Policy for which the faculty member has not previously received any severance pay under this Policy; or, solely for the purposes of calculating severance pay under the Employment Standards Act, as defined by the Employment Standards Act.

** If two (2) months' working notice of termination is not provided, then severance pay would be up to a maximum of twenty-four (24) months.

All benefits coverage and pensionable service ceases the later of the date that the termination takes effect or the end of the minimum notice period required under the Employment Standards Act.

Termination of a continuing appointment without cause cannot be the subject of a grievance under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement. A claim that a termination of continuing appointment breached Article 9: No Discrimination of the Memorandum of Agreement or was made in bad faith or as a reprisal for the exercise of academic freedom may be appealed. In the multi-departmental divisions, the appeal will be considered by the Principal or Dean. In other divisions, the appeal will be considered by a Principal or Dean designated for this purpose by the Vice-President & Provost. Where the appellant is cross-appointed, the person to hear the appeal will be determined according to the division in which the appellant holds their primary appointment. Appeals must be made in writing within fifteen (15) working days of written notice of termination of continuing appointment without cause and the appellant informed of the decision within twenty (20) working days of the appeal. The decision of the Principal or Dean may be appealed to the Vice-President & Provost within ten (10) days. The Vice-President & Provost's decision will be final and cannot be grieved under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement.

2. Termination for Cause

At any time, the appointment of a part-time faculty member may be terminated for cause, including incompetence, persistent neglect of duty, wilful or gross misconduct, without notice or pay in lieu of notice or severance.

A decision to terminate a part-time faculty member for cause may be appealed. Appeals shall follow the Grievance Procedure set out in Article 7 of the Memorandum of Agreement commencing at Step 3. Appeals must be in writing by the part-time faculty member within fifteen (15) working days of receipt of notice of termination.

(14) The foregoing policy and procedures shall not apply to part-time academic clinical staff in Dentistry and Medicine.

Approved by the Governing Council June 17, 1976

Section 4 of the 1976 Policy approved by the Governing Council September 23, 1976

Section 8 of the 1976 Policy was amended to reflect Article 4 (a), (b) and (c) of the Memorandum of Agreement with UTFa as amended effective July 1, 1991, approved by the Business Board, with the concurrence of the Academic Board June 6, 1991.

Section 8 of the 1976 Policy was amended to reflect Article 4 (d) of the Memorandum of Agreement with UTFa, approved by the Business Board on March 7, 1994.

As amended following facilitated negotiations with UTFa approved by _____, effective [date].

APPENDIX “B”

MAY 7, 2020 CONFIDENTIAL AND WITHOUT PREJUDICE UNIVERSITY OF TORONTO AND UTFA – REVISED TRANSITION FRAMEWORK –

U OF T PROPOSAL

May 7, 2020 4 pm proposal

All track changes in University’s May 7, 2020 afternoon proposal accepted, further revisions to same in track changes.

**U of T and UTFA – Confidential and Without Prejudice Facilitated Discussions with William Kaplan on Part-time Policy
University Transition Framework Proposal**

This proposal is conditional on UTFA’s agreement to the University’s most recent May 1, 2020 proposal regarding the new Policy

1. Provided the new Policy as agreed to by representatives of the University Administration and UTFA and approved by UTFA council is approved by the Governing Council, these transitional provisions would apply on January 1, 2021.
2. As a transitional issue, any part-time faculty member who meets the criteria in paragraph 3 below (i.e. appointed in the same unit for 8 or more years, normally without a break in employment of more than 1 year) or in paragraph 4 below (i.e. appointed in the same unit for 5 or more years and less than 8 years, normally without a break in employment of more than 1 year) on May 7, 2020 (and provided the new Policy is approved by UTFA Council and that the new Policy is ultimately approved by Governing Council) and whose contract is not renewed will be entitled to notice and severance pay under clause (13)1(b) of the new Policy as if they had been terminated without cause under that clause of the new Policy. Where any such part-time faculty member received written working notice of non-renewal before May 7, 2020 and/or severance pay, the period of working notice and/or severance pay received will reduce the amount of notice and severance pay owing, provided that in no case will such a part-time faculty member receive severance pay in an amount less than any severance pay entitlement under the ESA. Working notice does not reduce the amount of severance pay. For example, if before May 7, 2020 a part-time faculty member appointed in the same unit for 10 years received 3 months of written working notice of non-renewal they would

be entitled to receive severance pay in an amount equivalent to 10 months' pay less required deductions.

3. The following transition provisions will apply to part-time faculty members appointed in the same unit for 8 or more years, normally without a break in employment of more than 1 year:

(a) Any part-time faculty member who meets these criteria on January 1, 2021 and whose contract in effect on that date is renewed will be deemed to have a continuing appointment under the new Policy without a review. The part-time faculty member's continuing appointment will be at the same percentage appointment as the part-time faculty member's current contract unless the part-time faculty member and the Unit Head (with the approval of the Division Head and the Vice-President and Provost) agree to a different percentage.

(b) Any part-time faculty member who meets these criteria on January 1, 2021 and whose contract in effect on that date is not renewed will, at the end of that contract, be entitled to working notice and severance pay under clause (13)1(b) of the new Policy as if they had been terminated from a continuing appointment without cause under that clause of the new Policy. Non renewal of a contract cannot be the subject of a grievance under the grievance procedure set out in Article 7 of the Memorandum of Agreement. A claim that non renewal of a contract breached Article 9: No Discrimination of the Memorandum of Agreement or was made in bad faith or as a reprisal for the exercise of academic freedom may be appealed. In the multi-departmental divisions, the appeal will be considered by the Principal or Dean. In other divisions, the appeal will be considered by a Principal or Dean designated for this purpose by the Vice-President & Provost. Where the appellant is cross appointed, the person to hear the appeal will be determined according to the division in which the appellant holds their primary appointment. Where written notice of non-renewal is provided appeals must be made in writing within fifteen (15) working days of written notice of non-renewal or otherwise within fifteen (15) working days of the end of the contract and the appellant informed of the decision within twenty (20) working days of the appeal. The decision of the Principal or Dean may be appealed to the Vice-President & Provost within ten (10) working days. The Vice-President & Provost's decision will be final and cannot be grieved under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement.

4. The following transition provisions will apply to part-time faculty members appointed in the same unit for 5 or more years and less than 8 years, normally without a break in employment of more than 1 year:

(a) Any part-time faculty member who meets these criteria on January 1, 2021 and whose contract in effect on that date is renewed will be considered for a continuing appointment under the new Policy on the same basis as if they were in the sixth year of an appointment under the new Policy (i.e. a review for a continuing appointment). If the review is successful the part-time faculty member will have a continuing appointment. The part-time faculty member's continuing appointment will be at the same percentage appointment as the faculty member's current contract unless the part-time faculty member and the Unit Head (with the approval of the Division Head and the Vice-President & Provost) agree to a different percentage. If the review is not successful the part-time faculty member will not be offered a continuing appointment and will at the end of their contract be entitled to working notice and severance pay under clause (13)1(b) of the new Policy as if they had been terminated from a continuing appointment without cause under that clause of the new Policy. The non-continuation or non-renewal of the part-time appointment cannot be the subject of a grievance under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement. A claim that the non-renewal of a part-time appointment breached Article 9: No Discrimination of the Memorandum of Agreement or was made in bad faith or as a reprisal for the exercise of academic freedom may be appealed. In the multi-departmental divisions, the appeal will be considered by the Principal or Dean. In other divisions, the appeal will be considered by a Principal or Dean designated for this purpose by the Vice-President & Provost. Where the appellant is cross appointed, the person to hear the appeal will be determined according to the divisions in which the appellant holds their primary appointment. Appeals must be made in writing within fifteen (15) working days of written notice of non-renewal and the appellant informed of the decision within twenty (20) working days of the appeal. The decision of the Principal or Dean may be appealed to the Vice-President & Provost within ten (10) working days. The Vice-President & Provost's decision will be final and cannot be grieved under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement.

(b) Any part-time faculty member who meets these criteria on January 1, 2021 and whose contract in effect on that date is not renewed will at the end of their current contract be entitled to working notice and severance pay under clause (13)1(b) of the new Policy as if they had been terminated from a continuing appointment without cause under that clause of the new Policy. Non-renewal of a contract cannot be the subject of a grievance under the grievance procedure set out in Article 7 of the Memorandum of Agreement. A claim that the exercise of discretion breached Article 9: No Discrimination of the Memorandum of Agreement or was made in bad faith or as a reprisal for the exercise of academic freedom may be appealed. In the multi-departmental divisions, the appeal will be considered by the Principal or Dean. In other

divisions, the appeal will be considered by a Principal or Dean designated for this purpose by the Vice-President & Provost. Where the appellant is cross appointed, the person to hear the appeal will be determined according to the division in which the appellant holds their primary appointment. Where written notice of non-renewal is provided appeals must be made in writing within fifteen (15) working days of written notice of non-renewal or otherwise within fifteen (15) working days of the end of the contract and the appellant informed of the decision within twenty (20) working days of the appeal. The decision of the Principal or Dean may be appealed to the Vice-President & Provost within ten (10) working days. The Vice-President & Provost's decision will be final and cannot be grieved under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement.

5. For part-time faculty who on January 1, 2021 have been appointed for less than 5 years, the new Policy takes effect automatically on the start date of the new appointment if they receive another part-time appointment on or after January 1, 2021. For example, if a part-time faculty member had an initial one year contract from July 1, 2020 to June 30, 2021 and they were offered and accepted another part-time appointment in the same unit starting on July 1, 2021 the new Policy would apply to them on July 1, 2021 and at which time they would have completed 1 year of appointment in the unit for the purposes of the new Policy.

6. The ranks and titles of part-time teaching stream faculty members will change from the current titles of Lecturer and Senior Lecturer to Assistant Professor, Teaching Stream and Associate Professor, Teaching Stream respectively on the date the new Policy is approved by Governing Council.

7. Part-time faculty members appointed under the current Policy and Procedures on Employment Conditions of Part-time Faculty who are currently appointed at less than 20% will be grand parented for the full term of their employment with the University. The 20% minimum will apply to appointments made after these amendments become effective. For clarity, part-time faculty members appointed at less than 20% when the new part-time policy becomes effective would be covered by the transitional provisions and the new part-time policy in the same way as their colleagues with appointments greater than 20% except that the requirement that part-time appointments not be less than 20% of full-time employment would be waived.

8. Individuals who held a tenured or continuing status full-time appointment and who under the current Policy and Procedures on Employment Conditions

of Part-time Faculty changed to a tenured or continuing status appointment part-time under paragraph (5) of that Policy may continue in their tenured or continuing status appointments part-time. As a transitional provision, faculty members who changed from full-time to part-time within the 2 years preceding the effective date of the new Policy will have a time-limited one-time option to revert to their full-time status. This option is to be exercised within 3 months of the date the new Policy becomes effective. The Administration will contact all faculty members eligible to exercise this option to inform them of the option. For other faculty alteration of their percentage of appointment may occur only with the consent of the faculty member and the unit head, the division head, and the Vice-President and Provost.

9. Full-time faculty members who currently have approved part-time arrangements of limited duration will be grand parented until the end of that arrangement after which time future requests for part-time arrangements shall be considered under the relevant provisions of the new Policy. Time spent in part-time arrangements prior to the effective date of the new Policy shall not be counted toward the three-year maximum in clause 5 of the new Policy.

10. Years served in the same unit under the current Policy and Procedures on Employment Conditions of Part-time Faculty and years served as a CLTA faculty member in the same unit, without any break in employment of more than 1 year, will "count" under the new Policy (e.g. when determining timing for a review for continuing employment).

11. In no case will an employee who is terminated or whose contract is not renewed receive less working notice or compensation in lieu thereof than the minimum working notice or compensation in lieu thereof required under the ESA or less severance pay that the severance pay, if any, required under the ESA.

12. The year in which the parties reach agreement "counts" in the calculation of the number of years the part-time faculty member has been appointed. Someone who is completing their 8th year of employment, for example, is considered to have been appointed for 8 years or more for the purposes of paragraph 2 above.

FOR THE UNIVERSITY

Per: _____

_____ Date

A handwritten signature in black ink, appearing to read "C. A. Messenger", is written over the signature line.

FOR UTFA	May 7, 2020
Per: UTFA President	Date

APPENDIX "C"

WITHOUT PREJUDICE UNIVERSITY PROPOSAL

Re: Part-time Amendments to PPAA September XX, 2019

c) Tenure Stream

A part- time appointment is one that does not exceed 75 percent of full-time employment.

Individuals holding a tenured full-time appointment may, with the agreement of the unit head and the appropriate division head, and with the approval of the Vice-President & Provost, reduce their appointment to part-time. Requests for such a reduction in percentage of appointment shall not be unreasonably denied by the University.

Appointments shall not normally be reduced to less than 20% FTE. Reductions in percentage of appointment shall not normally exceed three (3) consecutive years, unless the basis for the reduction is an accommodation under the Ontario Human Rights Code.

Unless the basis for a reduction in percentage of appointment is an accommodation under the Ontario Human Rights Code, a reduction in percentage of appointment shall not exceed three (3) consecutive years, and the faculty member must return to a full-time appointment at the expiry of the term of reduction in percentage appointment unless the reduction is extended in writing with the agreement of the faculty member, and the agreement of the unit head and the appropriate division head, and with the approval of the Vice-President & Provost.

d) Continuing Status Teaching Stream

A part- time appointment is one that does not exceed 75 percent of full-time employment.

Individuals holding a continuing status teaching stream appointment may, with the agreement of the unit head and the appropriate division head, and with the approval of the Vice-President & Provost, reduce their appointment to part-time. Requests for such a reduction in percentage of appointment shall not be unreasonably denied by the University.

Appointments shall not normally be reduced to less than 20% FTE. Reductions in percentage of appointment shall not normally exceed three (3) consecutive years,

unless the basis for the reduction is an accommodation under the Ontario Human Rights Code.

Unless the basis for a reduction in percentage of appointment is an accommodation under the Ontario Human Rights Code, a reduction in percentage of appointment shall not exceed three (3) consecutive years, and the faculty member must return to a full-time appointment at the expiry of the term of reduction in percentage appointment unless the reduction is extended in writing with the agreement of the faculty member, and the agreement of the unit head and the appropriate division head, and with the approval of the Vice-President & Provost.

University of Toronto
Governing Council

Policy and Procedures on Employment Conditions
of Part-time ~~Academic Staff~~Faculty

~~March 7, 1994~~ Effective January 1, 2021

To request an official copy of this policy, contact:

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Policy and Procedures on Employment Conditions of Part-time Academic ~~Staff~~Faculty

Part-time faculty appointed under this Policy are “faculty members” for the purposes of the Memorandum of Agreement between the University and the Association and accordingly the provisions of Article 5: Academic Freedom and Responsibilities of that Memorandum of Settlement apply to part-time faculty members appointed under this Policy.

This policy does not apply to tenure stream or continuing status teaching stream faculty members who must be appointed under the Policy and Procedures on Academic Appointments (“PPAA”). Other part-time faculty appointments are made under this policy as referred to in the Memorandum of Agreement between the Governing Council of the University of Toronto and the University of Toronto Faculty Association (“the Memorandum of Agreement”).

A **part-time appointment** is one that does not exceed 75 per cent of full-time employment and is not less than 20 per cent of full-time employment¹. When an appointment is considered to be part-time, the fraction of the time for which the individual is to be appointed shall be computed on the basis of the expected workload of the individual divided by the workload of a comparable full-time ~~faculty~~ member ~~of the academic staff~~ over the period of employment.

- (1) ~~Initial~~ Appointments at all part-time ranks shall normally be up to one year's length in duration but may also be up to two year's length in duration.
- (2)
 - (a) Appointments may be made to any academic rank on a part-time basis. ~~This includes the categories of Tutor, Senior Tutor, Instructor, Research Associate, Clinical Associate, as well as the ranks from Lecturer to Full Professor.~~
 - (b) ~~Academic staff members who are engaged solely in teaching shall be appointed to the rank of Tutor; those engaged solely in research shall be designated as Research Associates.~~ Appointment to the ranks of Lecturer, Assistant Professor, Teaching Stream; Associate Professor, Teaching Stream; Professor, Teaching Stream; Assistant Professor, Associate Professor or Professor should be reserved for those individuals who bear a similar responsibility in terms of teaching, research/scholarship and University-service, to full-time appointments.
 - (c) Divisions wishing to describe part-time professorial appointments as adjunct or visiting may retain the title but the rank shall also be specified, e.g., Adjunct Assistant Professor.
 - ~~(d) Academic staff members who hold the part time appointment of Tutor shall, upon conferral of a three year appointment, be designated as Senior Tutor Part time.~~
 - ~~(e) In no instance may a part time appointment at the rank of Research Associate be for a term longer than the committed financial support from non University sources.~~
- (3) ~~Grievance procedures for part-time academic staff~~ faculty members shall be pursuant to Article 7 of the Memorandum of Agreement, the same as for comparable full-time academic staff. It should be noted that in the case of an annual appointment, which may or may not be renewed at the discretion of the department, there can be no ground for appeal if the appointment is not renewed as the staff member should not expect continuation of the appointment.
- (4) An appointment may be renewed for one or two years at the option of the department and the part-time faculty member should not expect continuation of the appointment. In the event an appointment is to be renewed, the department will endeavor to provide written notice of the

¹ The 20% minimum will apply to appointments made after these amendments become effective. Those currently appointed at less than 20% will be grandparented for the full term of their employment with the University. For clarity, part-time faculty members appointed at less than 20% when the new part-time policy becomes effective would be covered by the transitional provisions and the new part-time policy in the same way as their colleagues with appointments greater than 20% except that the requirement that part-time appointments not be less than 20% of full-time employment would be waived.

renewal at least two (2) months in advance of the end date of the appointment, failing which the appointment will end in accordance with its terms. For clarity, failure to provide at least two months' written notice does not preclude the renewal of the appointment at a later time. There shall be no more than six (6) successive annual appointments or successive appointments totaling six years before the part-time faculty member will be considered for continuing appointment in accordance with 7(a) below.

~~(54)~~ All part-time ~~academic staff~~ faculty members shall be eligible for participation in the pension plan according to present policy. In addition, part-time ~~academic staff~~ faculty members holding appointments of 25 per cent or more shall be eligible for other benefits on a pro-rated basis, ~~and for merit increases after one year.~~

~~(6)~~ All part-time faculty members are eligible for consideration for PTR awards in accordance with the relevant policies and procedures on a pro-rated basis.

~~(5)~~ Individuals currently holding a tenured full time position may, with the agreement of the department chairman, the appropriate division head, and approval of the Vice-President and Provost, change to a tenured position part time. Alteration of this situation may occur only with the consent of all parties.

There shall be no upper or lower limit to the percentage of part-time employment which could carry tenured status for full time tenured academic staff moving to part time.

~~(76)~~ (a) Part time academic staff members may hold tenure only in the case of full time tenured members who change to a part-time commitment in accordance with section (5). During the sixth (6th) year of a period of successive one year and/or two year appointments, a part-time faculty member will be considered for continuing appointment as a part-time faculty member in accordance with (b) below on the terms set out in this policy.

(b) Where a part-time faculty member is being considered for continuing appointment pursuant to (a) above, the part-time faculty member must be reviewed during the sixth (6th) year of a period of successive one-year and/or two-year appointments, with the review to be conducted before December 31. If the review is successful the part-time faculty member will be provided continuing appointment as a part-time faculty member at the same percentage appointment as the part-time member's contract at the time the review was conducted unless the part-time faculty member and the unit head (with the approval of the division head and the Vice-President & Provost) agree to a different percentage. If the review is not successful, the part-time faculty member's contract will end in accordance with its terms and this Policy and will not be renewed. The review shall be the same as that of interim review for Assistant Professor and probationary review for Assistant Professor, Teaching Stream, pursuant to the relevant provisions of the PPAA, it being understood that the part-time faculty member is expected to have made achievements in teaching and research/scholarship during the course of their employment. Significant service contributions may also be considered. The review committee should consider two questions:

(i) Has the part-time faculty member's performance been sufficiently satisfactory for a continuing appointment to be recommended?

(ii) If a continuing appointment is recommended, what counselling should be given to the part-time faculty member to assist them to improve areas of weakness and maintain areas of strength?

(c) Where a part-time faculty member appointed under this policy was previously employed at the University in a Contractually Limited Term Appointment (CLTA) position in the same academic unit as their part-time faculty appointment, years of CLTA appointment shall normally be included when determining the application of this policy to that part-time faculty member. For example: a faculty member who had served five successive years in a CLTA position in the same academic unit could be appointed to a one year contract and

considered for continuing employment in accordance with (b) above during what would be for the purposes of this policy their sixth successive year.

(d) Review for Continuing Appointment

Where there is a review for a continuing appointment and the review is not successful and the part-time faculty member will not be offered a continuing appointment, the non-continuation or non-renewal of the part-time appointment cannot be the subject of a grievance under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement. A claim that the non-renewal of a part-time appointment breached Article 9: No Discrimination of the Memorandum of Agreement or was made in bad faith or as a reprisal for the exercise of academic freedom may be appealed. In the multi-departmental divisions, the appeal will be considered by the Principal or Dean. In other divisions, the appeal will be considered by a Principal or Dean designated for this purpose by the Vice-President & Provost. Where the appellant is cross-appointed, the person to hear the appeal will be determined according to the division in which the appellant holds their primary appointment. Appeals must be made in writing within fifteen (15) working days of the non-renewal of the part-time appointment and the appellant informed of the decision within twenty (20) working days of the appeal. The decision of the Principal or Dean may be appealed to the Vice-President & Provost within ten (10) days. The Vice-President & Provost's decision will be final and cannot be grieved under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement.

(e) Exceptions to the requirement that employment be successive can be made by the Vice-President & Provost.

(b) After three successive annual part time appointments, a member of the academic staff may, at the discretion of the department chairman, or the College Principal in the case of non-departmental college programs and with the approval of the division head and the Vice President and Provost, be considered for a three year contract.

(c) The member of the academic staff being considered for a three year contract must be reviewed during his or her third annual appointment. This review shall be the same as that of probationary review for Assistant Professors.

(d) A member of the academic staff who holds a three year contract may be eligible for a renewal of the contract at the discretion of the department chairman and with the approval of the division head and the Vice President and Provost, and after review. The review shall be held in the third year of the contract before December 31, and shall be the same as the review specified in (c) though the staff member shall be expected to have made additional achievements in research, or creative activity where applicable. The staff member shall be notified before December 31 regarding renewal of the contract.

(87) Part-time faculty members appointed under this policy of the academic staff appointed on an annual contract or less, or holding appointments of less than 50 per cent, shall not normally be expected to participate in departmental administrative activities as appropriate unless otherwise agreed to in writing with the chairman/unit head. For those individuals on a three year term contract involving a greater than 50 per cent appointment, a contribution will be proportionately reduced contribution shall be expected in accordance with their full-time equivalency. Such service will be assessed as part of the annual merit process.

(98) a) A faculty member on 50 percent or greater appointment shall be entitled to apply for research and study leave in accordance with the provisions of the Memorandum of Agreement, of twelve (12) months at eighty-two and one-half (82.5) percent salary after every six years of service at the University of Toronto. Such leave shall not be unreasonably denied. Research leave normally will commence on July 1.

b) As an alternative, each faculty member on 50 percent or greater appointment shall be entitled to apply for research leave of six months at full salary, after the same period of

~~service. Such leave shall not be unreasonably denied. Such leave may commence either July or January 1, subject to the approval of his or her chair, dean or principal.~~

~~e) As an alternative and subsequent to the leave in (a) or (b) above and where the academic unit's teaching program permits, each faculty member on a 50 percent or greater appointment shall be entitled to apply for research or study leave for a six month period (from July 1 to December 31 or January 1 to June 30) after every three years of service at 82.5 percent salary provided the requested leave does not fall within seven years of the normal age of retirement. Such leave shall not be unreasonably denied.~~

~~d) A faculty member who is entitled to apply for a research leave under (a), above, may request that he or she defer the leave by up to one year. Such request shall not be unreasonably denied; and, where the request has been granted, the period of time between the date on which the leave would have commenced in the absence of the deferment and the actual date on which the leave commences, to a maximum of one year, shall be credited as "service to the University" for purposes of calculating the faculty member's accrued service in respect of the faculty member's next research and study leave application.~~

~~(109) Part-time faculty members of the academic staff holding a three year appointment involving 50 per cent or greater appointed under this policy shall be eligible for appointment to the graduate faculty upon recommendation of the department chairman/unit head to the Dean of the School of Graduate Studies under the same terms as full-time faculty in their division. Whether a faculty member is full or part-time does not affect eligibility to act as a Principal Investigator or their eligibility to apply for grants or awards provided they are otherwise eligible.~~

~~(110) The criteria and procedures for promotion through the ranks from Lecturer to Full Professor shall be the same as for full-time academic staff/faculty members with an appropriately reduced expectation as to the quantity of work.~~

~~(11) Where new or experimental programs have been introduced and part time academic staff have been initially recruited and paid by means of a payment authorization form, the arrangement shall be for one year only and in all subsequent years of such a program members of the academic staff shall be paid on a normal appointment basis and the salary floor pro-rated for the appropriate rank should apply.~~

~~(12) The Vice President and Provost shall give careful consideration to collecting information regarding teaching, research and University service by part time academic staff and, after five years, make recommendations on the employment conditions of part-time academic staff.~~

~~(13) The transition will be effected by the appointment of a committee to be set up by the Vice-President and Provost which shall review the disposition of all individuals presently holding part-time appointments for the academic year in which these proposals are implemented. The review shall involve an activity analysis, and the establishment of entitlement for rank, continuing appointment, and research or study leave due to past service.~~

(12) Delay in Review

Part-time faculty members who are scheduled to be considered for continuing appointments pursuant to 7(a) above may make a written request for delay in their review for continuing appointment due to pregnancy and/or parental or adoption leave or serious circumstances beyond their control such as illness or injury. The leave or serious circumstances must have occurred during their appointment as a part-time faculty member.

Delays may be granted for one year, but not more than two years, with the written approval of the Vice-President & Provost. Written requests by a part-time faculty member for further delays based on the provisions of the Ontario Human Rights Code as amended from time to time will be considered by the Vice-President & Provost on a case-by-case basis, it being understood and agreed that such requests must be made by the member in writing at the earliest opportunity (i.e. as soon as a part-time member knows or reasonably ought to know that their review for continuing appointment may warrant a delay based on the provisions of the Code.)

(13) Termination of Employment

1. Termination other than for Cause

- (a) Term limited appointments will terminate automatically in accordance with their terms unless previously renewed in writing. Acceptance of a term limited appointment constitutes written receipt of notice that the employment will terminate on the end date as set out in the appointment, except as otherwise provided above.
- (b) The continuing appointment of a faculty member appointed under this policy may be terminated by the University for reasons that do not amount to cause for termination.

When the University decides to terminate a continuing appointment without cause, the part-time faculty member will be provided with two (2) months' working notice of termination plus, at the end of the period of working notice, severance pay on the basis of one (1) month's pay per completed year of continuous service* with the University, to a maximum of twenty-two (22) months** (i.e. a combined maximum of working notice and severance pay of twenty-four (24) months). In no case will an employee receive less working notice or compensation in lieu thereof than the minimum working notice required under the Employment Standards Act, 2000 as amended from time to time (the "ESA") or less severance pay than the severance pay, if any, required under the ESA. Notice of termination shall be in writing. Severance pay will be based on the faculty member's salary at the time the two (2) months' working notice is provided or the average of the faculty member's salary over the preceding thirty-six (36) months, whichever is greater.

* Continuous service is defined as years of service that are counted under this Policy for which the faculty member has not previously received any severance pay under this Policy; or, solely for the purposes of calculating severance pay under the Employment Standards Act, as defined by the Employment Standards Act.

** If two (2) months' working notice of termination is not provided, then severance pay would be up to a maximum of twenty-four (24) months.

All benefits coverage and pensionable service ceases the later of the date that the termination takes effect or the end of the minimum notice period required under the Employment Standards Act.

Termination of a continuing appointment without cause cannot be the subject of a grievance under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement. A claim that a termination of continuing appointment breached Article 9: No Discrimination of the Memorandum of Agreement or was made in bad faith or as a reprisal for the exercise of academic freedom may be appealed. In the multi-departmental divisions, the appeal will be considered by a Principal or Dean designated for this purpose by the Vice-President & Provost. Where the appellant is cross-appointed, the person to hear the appeal will be determined according to the division in which the appellant holds their primary appointment. Appeals must be made in writing within fifteen (15) working days of written notice of termination of continuing appointment without cause and the appellant informed of the decision within twenty (20) working days of the appeal. The decision of the Principal or Dean may be appealed to the Vice-President & Provost within ten (10) days. The Vice-President & Provost's decision will be final and cannot be grieved under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement.

2. Termination for Cause

At any time, the appointment of a part-time faculty member may be terminated for cause, including incompetence, persistent neglect of duty, willful or gross misconduct, without notice of pay in lieu of notice or severance.

A decision to terminate a part-time faculty member for cause may be appealed. Appeals shall follow the Grievance Procedure set out in Article 7 of the Memorandum of Agreement commencing at Step 3. Appeals must be in writing by the part-time faculty member within fifteen (15) working days of receipt of notice of termination.

- (14) The foregoing policy and procedures shall not apply to part-time academic clinical staff in Dentistry and Medicine.

Approved by the Governing Council June 17, 1976

Section 4 approved by the Governing Council September 23, 1976

Section 8 was amended to reflect Article 4 (a), (b) and (c) of the Memorandum of Agreement with UTFA as amended effective July 1, 1991, approved by the Business Board, with the concurrence of the Academic Board June 6, 1991.

Section 8 was amended to reflect Article 4 (d) of the Memorandum of Agreement with UTFA, approved by the Business Board on March 7, 1994.

As revised following facilitated negotiations with UTFA as approved by Governing Council
effective October 29, 2020.

University of Toronto
Governing Council

Policy and Procedures on Employment Conditions
of Part-time Faculty

Effective January 1, 2021

To request an official copy of this policy, contact:

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Policy and Procedures on Employment Conditions of Part-time Faculty

Part-time faculty appointed under this Policy are “faculty members” for the purposes of the Memorandum of Agreement between the University and the Association and accordingly the provisions of Article 5: Academic Freedom and Responsibilities of that Memorandum of Settlement apply to part-time faculty members appointed under this Policy.

This policy does not apply to tenure stream or continuing status teaching stream faculty members who must be appointed under the Policy and Procedures on Academic Appointments (“PPAA”). Other part-time faculty appointments are made under this policy as referred to in the Memorandum of Agreement between the Governing Council of the University of Toronto and the University of Toronto Faculty Association (“the Memorandum of Agreement”).

A **part-time appointment** is one that does not exceed 75 per cent of full-time employment and is not less than 20 per cent of full-time employment¹. When an appointment is considered to be part-time, the fraction of the time for which the individual is to be appointed shall be computed on the basis of the expected workload of the individual divided by the workload of a comparable full-time faculty member over the period of employment.

- (1) Appointments at all part-time ranks shall normally be up to one year's length in duration but may also be up to two year's length in duration.
- (2)
 - (a) Appointments may be made to any academic rank on a part-time basis.
 - (b) Appointment to the ranks of Assistant Professor, Teaching Stream; Associate Professor, Teaching Stream; Professor, Teaching Stream; Assistant Professor, Associate Professor or Professor should be reserved for those individuals who bear a similar responsibility in terms of teaching, research/scholarship and service, to full-time appointments.
 - (c) Divisions wishing to describe part-time professorial appointments as adjunct or visiting may retain the title but the rank shall also be specified, e.g., Adjunct Assistant Professor.
- (3) Grievance procedures for part-time faculty members shall be pursuant to Article 7 of the Memorandum of Agreement.
- (4) An appointment may be renewed for one or two years at the option of the department and the part-time faculty member should not expect continuation of the appointment. In the event an appointment is to be renewed, the department will endeavor to provide written notice of the renewal at least two (2) months in advance of the end date of the appointment, failing which the appointment will end in accordance with its terms. For clarity, failure to provide at least two months' written notice does not preclude the renewal of the appointment at a later time. There shall be no more than six (6) successive annual appointments or successive appointments totaling six years before the part-time faculty member will be considered for continuing appointment in accordance with 7(a) below.
- (5) All part-time faculty members shall be eligible for participation in the pension plan according to present policy. In addition, part-time faculty members holding appointments of 25 per cent or more shall be eligible for other benefits on a pro-rated basis.
- (6) All part-time faculty members are eligible for consideration for PTR awards in accordance with the relevant policies and procedures on a pro-rated basis.

¹ The 20% minimum will apply to appointments made after these amendments become effective. Those currently appointed at less than 20% will be grandparented for the full term of their employment with the University. For clarity, part-time faculty members appointed at less than 20% when the new part-time policy becomes effective would be covered by the transitional provisions and the new part-time policy in the same way as their colleagues with appointments greater than 20% except that the requirement that part-time appointments not be less than 20% of full-time employment would be waived.

- (7) (a) During the sixth (6th) year of a period of successive one year and/or two year appointments, a part-time faculty member will be considered for continuing appointment as a part-time faculty member in accordance with (b) below on the terms set out in this policy.
- (b) Where a part-time faculty member is being considered for continuing appointment pursuant to (a) above, the part-time faculty member must be reviewed during the sixth (6th) year of a period of successive one-year and/or two-year appointments, with the review to be conducted before December 31. If the review is successful the part-time faculty member will be provided continuing appointment as a part-time faculty member at the same percentage appointment as the part-time member's contract at the time the review was conducted unless the part-time faculty member and the unit head (with the approval of the division head and the Vice-President & Provost) agree to a different percentage. If the review is not successful, the part-time faculty member's contract will end in accordance with its terms and this Policy and will not be renewed. The review shall be the same as that of interim review for Assistant Professor and probationary review for Assistant Professor, Teaching Stream, pursuant to the relevant provisions of the PPAA, it being understood that the part-time faculty member is expected to have made achievements in teaching and research/scholarship during the course of their employment. Significant service contributions may also be considered. The review committee should consider two questions:
- (i) Has the part-time faculty member's performance been sufficiently satisfactory for a continuing appointment to be recommended?
- (ii) If a continuing appointment is recommended, what counselling should be given to the part-time faculty member to assist them to improve areas of weakness and maintain areas of strength?
- (c) Where a part-time faculty member appointed under this policy was previously employed at the University in a Contractually Limited Term Appointment (CLTA) position in the same academic unit as their part-time faculty appointment, years of CLTA appointment shall normally be included when determining the application of this policy to that part-time faculty member. For example: a faculty member who had served five successive years in a CLTA position in the same academic unit could be appointed to a one year contract and considered for continuing employment in accordance with (b) above during what would be for the purposes of this policy their sixth successive year.
- (d) Review for Continuing Appointment

Where there is a review for a continuing appointment and the review is not successful and the part-time faculty member will not be offered a continuing appointment, the non-continuation or non-renewal of the part-time appointment cannot be the subject of a grievance under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement. A claim that the non-renewal of a part-time appointment breached Article 9: No Discrimination of the Memorandum of Agreement or was made in bad faith or as a reprisal for the exercise of academic freedom may be appealed. In the multi-departmental divisions, the appeal will be considered by the Principal or Dean. In other divisions, the appeal will be considered by a Principal or Dean designated for this purpose by the Vice-President & Provost. Where the appellant is cross-appointed, the person to hear the appeal will be determined according to the division in which the appellant holds their primary appointment. Appeals must be made in writing within fifteen (15) working days of the non-renewal of the part-time appointment and the appellant informed of the decision within twenty (20) working days of the appeal. The decision of the Principal or Dean may be appealed to the Vice-President & Provost within ten (10) days. The Vice-President & Provost's decision will be final and cannot be grieved under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement.

- (e) Exceptions to the requirement that employment be successive can be made by the Vice-President & Provost.
- (8) Part-time faculty members appointed under this policy shall normally be expected to participate in departmental administrative activities as appropriate unless otherwise agreed to in writing with the unit head. The contribution will be proportionately reduced in accordance with their full-time equivalency. Such service will be assessed as part of the annual merit process.
- (9) A faculty member on 50 percent or greater appointment shall be entitled to apply for research and study leave in accordance with the provisions of the Memorandum of Agreement.
- (10) Part-time faculty members appointed under this policy shall be eligible for appointment to the graduate faculty upon recommendation of the unit head to the Dean of the School of Graduate Studies under the same terms as full-time faculty in their division. Whether a faculty member is full or part-time does not affect eligibility to act as a Principal Investigator or their eligibility to apply for grants or awards provided they are otherwise eligible.
- (11) The criteria and procedures for promotion through the ranks shall be the same as for full-time faculty members with an appropriately reduced expectation as to the quantity of work.
- (12) Delay in Review

Part-time faculty members who are scheduled to be considered for continuing appointments pursuant to 7(a) above may make a written request for delay in their review for continuing appointment due to pregnancy and/or parental or adoption leave or serious circumstances beyond their control such as illness or injury. The leave or serious circumstances must have occurred during their appointment as a part-time faculty member.

Delays may be granted for one year, but not more than two years, with the written approval of the Vice-President & Provost. Written requests by a part-time faculty member for further delays based on the provisions of the *Ontario Human Rights Code* as amended from time to time will be considered by the Vice-President & Provost on a case-by-case basis, it being understood and agreed that such requests must be made by the member in writing at the earliest opportunity (i.e. as soon as a part-time member knows or reasonably ought to know that their review for continuing appointment may warrant a delay based on the provisions of the *Code*.)

(13) Termination of Employment

1. Termination other than for Cause

- (a) Term limited appointments will terminate automatically in accordance with their terms unless previously renewed in writing. Acceptance of a term limited appointment constitutes written receipt of notice that the employment will terminate on the end date as set out in the appointment, except as otherwise provided above.
- (b) The continuing appointment of a faculty member appointed under this policy may be terminated by the University for reasons that do not amount to cause for termination.

When the University decides to terminate a continuing appointment without cause, the part-time faculty member will be provided with two (2) months' working notice of termination plus, at the end of the period of working notice, severance pay on the basis of one (1) month's pay per completed year of continuous service* with the University, to a maximum of twenty-two (22) months** (i.e. a combined maximum of working notice and severance pay of twenty-four (24) months). In no case will an employee receive less working notice or compensation in lieu thereof than the minimum working notice required under the Employment Standards Act, 2000 as amended from time to time (the "ESA") or less severance pay than the severance pay, if any, required under the ESA. Notice of termination shall be in writing. Severance pay will be based on the faculty member's salary at the time the two (2) months' working notice is provided or the average of the faculty member's salary over the preceding thirty-six (36) months, whichever is greater.

* Continuous service is defined as years of service that are counted under this Policy for which the faculty member has not previously received any severance pay under this Policy; or, solely for the purposes of calculating severance pay under the Employment Standards Act, as defined by the Employment Standards Act.

** If two (2) months' working notice of termination is not provided, then severance pay would be up to a maximum of twenty-four (24) months.

All benefits coverage and pensionable service ceases the later of the date that the termination takes effect or the end of the minimum notice period required under the Employment Standards Act.

Termination of a continuing appointment without cause cannot be the subject of a grievance under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement. A claim that a termination of continuing appointment breached Article 9: No Discrimination of the Memorandum of Agreement or was made in bad faith or as a reprisal for the exercise of academic freedom may be appealed. In the multi-departmental divisions, the appeal will be considered by a Principal or Dean designated for this purpose by the Vice-President & Provost. Where the appellant is cross-appointed, the person to hear the appeal will be determined according to the division in which the appellant holds their primary appointment. Appeals must be made in writing within fifteen (15) working days of written notice of termination of continuing appointment without cause and the appellant informed of the decision within twenty (20) working days of the appeal. The decision of the Principal or Dean may be appealed to the Vice-President & Provost within ten (10) days. The Vice-President & Provost's decision will be final and cannot be grieved under the Grievance Procedure set out in Article 7 of the Memorandum of Agreement.

2. Termination for Cause

At any time, the appointment of a part-time faculty member may be terminated for cause, including incompetence, persistent neglect of duty, willful or gross misconduct, without notice of pay in lieu of notice or severance.

A decision to terminate a part-time faculty member for cause may be appealed. Appeals shall follow the Grievance Procedure set out in Article 7 of the Memorandum of Agreement commencing at Step 3. Appeals must be in writing by the part-time faculty member within fifteen (15) working days of receipt of notice of termination.

- (14) The foregoing policy and procedures shall not apply to part-time academic clinical staff in Dentistry and Medicine.

Approved by the Governing Council June 17, 1976

Section 4 approved by the Governing Council September 23, 1976

Section 8 was amended to reflect Article 4 (a), (b) and (c) of the Memorandum of Agreement with UTFA as amended effective July 1, 1991, approved by the Business Board, with the concurrence of the Academic Board June 6, 1991.

Section 8 was amended to reflect Article 4 (d) of the Memorandum of Agreement with UTFA, approved by the Business Board on March 7, 1994.

As revised following facilitated negotiations with UTFA as approved by Governing Council, October 29, 2020



UNIVERSITY OF TORONTO

University of Toronto
Governing Council

Policy and Procedures on Academic Appointments

~~June 26, 2015~~ Effective January 1,
2021

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Policy and Procedures on Academic Appointments

All regulations pertaining to appointments and tenure shall be given in writing to newly-appointed members of the academic staff of the University of Toronto.

I. APPOINTMENTS POLICY AND PROCEDURES¹

There should be a continuous planning process in each academic unit with the objective of delineating future plans and developments. Against such plans, requests for new appointments can be judged and the nature of candidates to be sought determined.

For the purposes of this document academic unit is defined by Section 1(1)(a) of the University of Toronto Act 1971, amended in 1978. Division head shall mean the Principal, Dean or Director of the corresponding College, Faculty or School, which shall be referred to as division. The following faculties are deemed to be multi-departmental divisions with departmental chairs:

Faculty of Arts and Science

Faculty of Medicine

Faculty of Applied Science and Engineering

Erindale College (University of Toronto at Mississauga)

The School of Graduate Studies

The Ontario Institute for Studies in Education of the University of Toronto

Scarborough College (University of Toronto at Scarborough)

1. These principles and procedures apply to all full-time appointments to the rank of Assistant Professor (Conditional) and above, and to the rank of Assistant Professor, Teaching Stream (Conditional) and above. Appointments on a part-time basis should be made in accordance with the Policy and Procedures [on Employment Conditions of Part-Time Appointments Faculty](#).
2. All divisions must seek the approval of the Vice-President and Provost for an increase in staff, or for the filling of a vacant position in the tenure stream, or for a position with tenure. Approval must be obtained for contractually-limited term appointments as specified in Section 29 below.
3. There should be close co-operation between the Faculty of Arts and Science (St. George) and relevant Divisions, the School of Graduate Studies, Scarborough College (University of Toronto at Scarborough) and Erindale College (University of Toronto at Mississauga) in all aspects of appointments policies. Each campus should retain, however, a significant degree of initiative in determining the patterns of faculty recruitment.
4. Where appropriate, academic units should explore the possibility of using staff resources in other universities as an alternative to new or replacement appointments. Except under unusual circumstances and with the explicit approval of the Office of the Vice-President and Provost, appointment of University of Toronto teaching staff to other universities or the appointment of staff members from other universities to this University should not be on an overload basis. A released time agreement with shared responsibility and payment of reasonable out-of-pocket expenses should be the normal arrangement.

¹This policy shall be applied to all academic staff members unless an individual specifically requests consideration under the policy in force at the time of his or her appointment. Previous appointment policies are accessible through the Provost's Office.

5. Procedures should be adopted to ensure that an adequate list of possible candidates of quality is obtained and that the selection from this list has been properly and effectively carried out. The Vice-President and Provost with the appropriate consultation should be permitted to waive some or all of the procedural requirements of this recommendation in exceptional cases. Cases where the procedural requirements are waived should be reported to the Academic Board. The procedures should include the following:
- i) The position should be advertised widely in such journals as University Affairs and the CAUT Bulletin as well as in national and international journals in the discipline concerned and other appropriate periodicals. Advertisements must also be sent to all the corresponding divisions or departments in other Canadian universities. The objective of wide advertisement is to ensure that the position is drawn to the attention of as many potential candidates as possible in order to increase the chances that the names of the best possible candidates will appear on the list of those to be considered.
 - ii) All documentation for candidates must be obtained in writing. The documentation for each candidate should include a current curriculum vitae and several letters of recommendation indicating the candidate's capacity for scholarship as evidenced by teaching and research.
 - iii) These applications should be assessed and judged by a committee of the division or department which would assist the dean or chair in producing a "short list" of approximately three candidates.
 - iv) In all divisions the division head should be notified of the Search Committee's recommendation and the reasons for the Committee's selection of the individual over other candidates on the "short list". The division head, if satisfied that an effective search has been made, shall then seek the Provost's approval to authorize the departmental chair in multi-departmental divisions to proceed with the making of a formal offer to the selected candidate. In other faculties, the formal offer to the selected candidate will be made by the head of the division or designate after receiving the Provost's approval. In the case of the appointment of a full professor with tenure, this section is modified by Section II below.
 - v) Where a cross-appointment, as for example to University, New, Innis, or Woodsworth College or to another division, institute, centre or department, is to be made at the time of initial appointment, the heads of the academic units concerned should be involved in the preparation of the "short list" mentioned in iii); moreover, each of these academic units should be represented on the committee which assists in the preparation of that list. Similarly the final choice mentioned in iv) should have the approval of the heads of the academic unit concerned. The authorizations mentioned in iv) and v) shall be given by both or all of the division heads concerned after receiving the Provost's approval.
 - vi) Visiting appointments normally are those where the individual appointed retains a continuing appointment in another institution. Such appointments will be approved by the division head and normally will be for no longer than one year. Appointments for longer than one year require the approval of the Vice-President and Provost. Visiting appointments are exempt from all other procedures in this document.

II. THE PROBATION PERIOD

6. The Assistant Professor rank should be the normal starting point for a person beginning a University career of research and teaching. Evidence of candidates' teaching ability or potential and assessments of their promise of future intellectual and professional development, should be sought and considered when making such appointments.

To qualify for appointment to the rank of Assistant Professor or above, the candidate should be required to show evidence of his or her ability to undertake independent scholarly activity, such as the successful completion of a doctoral programme or other scholarly or professional work regarded by the division or department as equivalent. A candidate who does not so qualify

should not be appointed to the rank of Assistant Professor or above, but should receive appointment as an Assistant Professor (Conditional).

7. Any member of the teaching staff enrolled in a doctoral programme at any university and appointed with the expectation that the Ph.D. degree or its equivalent will be conferred must remain at the Assistant Professor (Conditional) rank until the degree is conferred or until he or she indicates that the formal doctoral programme has been abandoned and is able to show evidence of satisfactory scholarly work. Successful completion of a doctoral programme or other scholarly or professional work regarded by the division or department as equivalent would make the member of the teaching staff eligible for an appointment at the rank of Assistant Professor. Where a member of the teaching staff is expected to enter the tenure stream, he or she should not serve more than six years, including a terminal year, at the Assistant Professor (Conditional) rank. Assistant Professors (Conditional) should receive annual contracts terminable on not less than six months written notice.
8. On initial appointment to a position in the tenure stream an Assistant Professor should receive a four-year contract and it should be clearly understood that the University is under no obligation to renew the contract when it expires. The performance of a member of the teaching staff holding such a contract should be reviewed no earlier than May 1 of the third year of the contract, by a committee appointed by the division head or, in the multi-departmental divisions, by the department chair. For compelling academic reasons such as the need to set up new research facilities, and with the approval of the Vice-President and Provost, an Assistant Professor may be given an initial appointment of up to five years, with a performance review no earlier than May 1 of the penultimate year. Those raised from the Assistant Professor (Conditional) rank to Assistant Professor after the beginning of the regular appointment year, and who are in the tenure stream, shall be deemed to have received a four-year contract from the following July 1.

In the case of staff members appointed to graduate departments covering more than one campus, the review committee shall be appointed by the relevant campus department chair, in consultation with the graduate chair where the graduate chair is not also the relevant campus department chair. For faculty cross-appointed to other departments or divisions and where such cross-appointments carry a commitment to at least one quarter of the candidate's salary, the review committee shall be appointed jointly by the respective division heads or department chairs. In the case of staff members who are cross-appointed to New College, Innis College, Woodsworth College or University College, the College principal does not participate in the appointment of the review committee. In these cases the review committee must obtain from the College principal an appraisal of the candidate's College contribution to be considered along with other relevant evidence of the candidate's scholarly ability.

The review of such an initial appointment should be essentially different in purpose and procedures from a tenure review. The committee should consider two questions.

- a) Has the appointee's performance been sufficiently satisfactory for a second probationary appointment to be recommended?
- b) If reappointment is recommended, what counselling should be given to the appointee to assist him or her to improve areas of weakness and maintain areas of strength?

The procedures of the review committee should be made known to the appointee, but they cannot be rigidly defined for the University as a whole. Rather the procedures should be flexibly designed by each division or department with the aim of eliciting and considering all possible relevant information. Course evaluation should be considered and also signed opinions of individual students if these are available. Written comments from other department members, formally or informally acquainted with the appointee's teaching or scholarship, should be solicited. Normally no later than 30th June, the appointee should be asked to submit an account of research or creative professional activity which has been completed or undertaken since the time of initial appointment; however, lack of substantial achievement in this area since appointment should not, in itself, be a cause for non-renewal of contract. The appointee will not normally be

required to complete the submission prior to August 31. Notice that the contract will or will not be renewed on the following July 1 must be given in writing no later than November 30. If requested, a written statement of reasons for a decision to recommend that a contract not be renewed shall be supplied, within one week of such a request, by the chair of the review committee.

9. A decision not to renew a contract may be appealed by a member of the teaching staff holding an initial appointment as Assistant Professor in the tenure stream only on one or more of the following grounds:
 - a) a significant irregularity in the procedure followed by the review committee;
 - b) an unreasonable inconsistency in the application of the current standards of the division or department; or
 - c) improper bias or motive on the part of a member of the review committee.

In the multi-departmental divisions, the appeal will be considered by the principal or dean. In other divisions, the appeal will be considered by a principal or dean designated for this purpose by the Vice-President and Provost. Where the appellant is cross-appointed, the person to hear the appeal will be determined according to the division in which the appellant holds his or her primary appointment. In a case where the person who would otherwise hear the appeal was a member of the review committee, the Provost should designate another principal or dean (not a member of that committee) to hear the appeal. Appeals must be made in writing within fifteen (15) working days of written notice of non-renewal and the appellant informed of the decision within twenty (20) working days of the appeal. A person appealing a non renewal of contract shall have a right to a summary of any written evidence which must be described in enough detail to enable him or her to make a particular response to all the significant components, and to appear and present arguments on any of the three grounds listed above. The decision of the principal or dean may be appealed to the Vice-President and Provost within ten days. The Vice-President and Provost's decision will be final, and cannot be grieved.

If an Assistant Professor in the tenure stream is granted a renewal of his or her contract, that renewal should be for a period of up to two years, and he or she must be considered for tenure in the terminal year of this contract. Appointees who have been granted a renewal of their initial contract are entitled to request an adjustment to their workload assignment for one academic term in order to allow them to focus on preparing for their tenure consideration and to address any advice from the review of their initial appointment. Normally this term will not include assigned teaching, or service; but the term may include assigned teaching, with the candidate's agreement, in order to address advice from their review. The candidate should be notified of the result of the tenure consideration not later than April 15 of that year. The length of the contract may vary from case to case, particularly if previous service at the rank of Assistant Professor (Conditional) at this University or at an equivalent rank at another university is to be taken into account in establishing an earlier date for consideration of tenure. At the time of making an appointment to the Assistant Professor rank, it is the responsibility of the division head, or of the department chair in the multi-departmental divisions to reach an explicit understanding with the member of the teaching staff as to the time at which tenure will be considered; where the initial appointment involves a cross-appointment, the responsibility for reaching this understanding will rest with the head, or chair, as the case may be, of the division or department of the primary appointment.

10. In exceptional circumstances, with the approval of the division head and the Vice-President and Provost, a candidate may be considered for tenure earlier than provided for in (9) above but only if the consent of the candidate is obtained in writing. However, no Assistant Professor should be granted tenure until he or she has served a minimum of three years at this University at the Assistant Professor rank except in extraordinary circumstances upon the approval of the Vice-President and Provost. No later than April 15 of the final year of the probationary period, the candidate should be considered for tenure and notified of the result.

Candidates may make a written request for a delay in the interim review or consideration for tenure based on pregnancy and/or parental or adoption leave or serious personal

circumstances beyond their control such as illness or injury or damage to their research facilities. Delays may be granted for one year but not more than 2 years with the approval in writing of the Vice-President and Provost. Written requests by a candidate for further delays based on the provisions of *Ontario Human Rights Code* as amended from time to time (the “Code”) will be considered by the Vice-President and Provost on a case-by-case basis, it being understood and agreed that such requests must be made by the candidate in writing at the earliest opportunity in the interim review or consideration for tenure process (i.e. as soon as a candidate knows or reasonably ought to know that their interim year review or consideration for tenure may warrant a delay based on the provisions of the Code.)

11. A member of the teaching staff appointed initially at the rank of Associate Professor, with the exception of those appointed under Section 29, either should be considered for tenure at the time of appointment or should receive a three-year contract. In the latter case, he or she should be considered for tenure in the third year of the contract and should be notified of the result not later than April 15 of that year. If the candidate's consent is obtained in writing, he or she may be considered for tenure earlier. In any case, the regular procedures and composition of committees for consideration of tenure shall be followed.

If the initial appointment is at the rank of Professor, that appointment should be with tenure, with the exception of those appointed under Section 29. Before the offer of such an appointment is made, the proposal must be approved by the division head, the Dean of the School of Graduate Studies and the Office of the Vice-President and Provost.

When an academic administrator is recommended for appointment from outside this University under the “Policy on Appointment of Academic Administrators”, he or she must also be recommended for tenure in the appropriate department or division, by a duly constituted tenure committee if at the rank of Associate Professor or by the provisions of the preceding paragraph if at the rank of Professor.

In the case of a member of the teaching staff of a clinical department in the Faculty of Medicine who is also a licensed clinician on the staff of a teaching hospital, the term of the University contract of appointment during the probationary period should normally be made concurrent with his or her corresponding contractual arrangement with the teaching hospital. However, the term of the University appointment during the probationary period should in no case exceed the term of the contract which the member of the teaching staff would otherwise have received under this section or in 8, 9, or 10 above.

Note: The Academic Affairs Committee approved the following on May 1, 1975

"That, pending the receipt of further advice from the Faculty of Medicine, the implementation of (6) to (11) of the academic appointments policy be delayed for clinical staff. For the purposes of this recommendation, clinical staff are staff in the following departments of the Faculty of Medicine who also hold active staff appointments in an affiliated teaching hospital:

- Anaesthesia
- Clinical Biochemistry
- Family and Community Medicine
- Medicine
- Medical Microbiology
- Obstetrics and Gynaecology
- Ophthalmology
- Otolaryngology
- Paediatrics
- Pathology

Psychiatry
Radiology
Rehabilitation Medicine, and
Surgery

Full-time staff in these departments who do not hold active staff appointments in the affiliated teaching hospitals should remain subject to the same tenure procedures as other full-time University staff members.

This delay in implementation also applies to any subsequent policy statements arising out of the Appointment Task Force Report, concerning tenured appointments."

III. CRITERIA FOR GRANTING TENURED APPOINTMENTS

The Nature of Tenure

Tenure, as understood herein, is the holding by a member of the professorial staff of the University of a continuing full-time appointment which the University has relinquished the freedom to terminate before the normal age of retirement except for cause and under the conditions specified in Sections 27 and 28 below.

Tenure provides a necessary safeguard for free enquiry and discussion, the exercise of critical capacities, honest judgment, and independent criticism of matters both outside and within the University.

Tenure entails acceptance by a member of the University of the obligation to perform conscientiously his or her functions as a teacher and a scholar.

Tenure shall be granted only by a definite act, under stipulated conditions on the basis of merit.

12. The set of general criteria outlined below should be used as the basis for a decision on the granting of tenure. It is, however, recognized that significant differences among divisions and disciplines in the University will lead to some differences in the detailed application of these criteria. Nevertheless there should be a high degree of uniformity across the University, in standards and procedures for granting tenure. It is also recognized that the tenure committee's recommendation should be made on the evidence that is available to the committee at the time of their recommendation and should be reasonable in light of the standards that were generally applied in the division in recent years.
13. Tenured appointments should be granted on the basis of three essential criteria: achievement in research and creative professional work, effectiveness in teaching, and clear promise of future intellectual and professional development. Contributions in the area of university service may constitute a fourth factor in the tenure decision but should not, in general, receive a particularly significant weighting.
 - a) Achievement in research or creative professional work is evidenced primarily, but not exclusively, by published work in the candidate's discipline; in this context, published work may include books, monographs, articles and reviews and, where appropriate, significant works of art or scholarly research expressed in media other than print. It may also be evidenced by various other types of creative or professional work, including community service, where such work is comparable in level and intellectual calibre with scholarly production and relates directly to the candidate's academic discipline. Research also encompasses unpublished writings and work in progress. Scholarly achievement may be demonstrated by consideration of theses or other material prepared or written under the candidate's direct supervision. In some exceptional cases, weight should be given to "unwritten scholarship" of the type displayed in public lectures, formal colloquia and informal academic discussions with colleagues.

- b) Effectiveness in teaching is demonstrated in lectures, seminars, laboratories and tutorials as well as in more informal teaching situations such as counselling students and directing graduate students in the preparation of theses. It is, however, recognized that scholarship must be manifested in the teaching function and that a dogmatic attempt to separate "scholarship" and "teaching" is somewhat artificial. Three major elements should be considered in assessing the effectiveness of a candidate's teaching: the degree to which he or she is able to stimulate and challenge the intellectual capacity of students; the degree to which the candidate has an ability to communicate well; and the degree to which the candidate has a mastery of his or her subject area.
- c) An assessment of promise of future intellectual and professional development will inevitably be based on the vitality and progress the candidate has demonstrated as a teacher and scholar during his or her probationary years at this University. A positive judgment on this criterion means that the members of the tenure committee are reasonably convinced that, following the granting of tenure and the long-term commitment that it implies, the candidate will continue to make a valuable contribution to his or her discipline.
- d) University service primarily means university, divisional or departmental committee or administrative work.

Clear promise of future intellectual and professional development must be affirmed for tenure to be awarded. Demonstrated excellence in one of research (including equivalent and creative or professional work) and teaching, and clearly established competence in the other, form the second essential requirement for a positive judgment by the tenure committee. Only outstanding performance with respect to University service should be given any significant weight and, even then, only if there are no substantial reservations relating to the research, teaching and future promise criteria.

14. Detailed Procedures for Tenure Consideration

Each division head or chair of the department in the multi-departmental divisions shall have the responsibility:

- i) to ensure that those members of the teaching staff who must be considered for tenure in the spring term of an academic year are identified in the previous May;
- ii) to notify the candidate, normally no later than June 30th, that he or she will be considered for tenure in the following spring and when the process of review, including assembling of documentation, is about to begin and when it will be completed. Candidates should normally be provided with a period of at least 6 weeks in which to assemble and prepare the documentation required from them as set out below and will not normally be asked to submit their research dossier prior to July 1.
- iii) to notify formally the candidate as to the individuals whom he or she intends to ask to serve on the tenure committee. This notification will normally happen in the fall. If the staff member has reason to believe that any member of the committee, including the division head or chair, cannot make his or her decision solely on the basis of the evidence available at the time of the tenure committee meeting, he or she should indicate this to the division head or the appropriate Vice-Provost. The division head or chair shall then formally notify the staff member of the final composition of the tenure committee;
- iv) in consultation with the graduate chair, to complete and to present the documents to the tenure committee, and to ensure that the fullest possible documentation is made available. Each member of the teaching staff being considered for tenure shall prepare a curriculum vitae as indicated in Section 15 below and shall make available to the division head or chair all papers and documents as indicated below. The division head or chair shall obtain the necessary appraisals of the candidate's work and the evaluation of the internal reading committee with respect to the documentation provided for the tenure committee. The division head or chair shall prepare and provide a written summary of the content of the

above appraisals and evaluation, without identifying their source, to the candidate at the time of submission of the dossier to the tenure committee normally at least one week prior to the first meeting of the tenure committee. It is important that the summary be sufficiently detailed that the candidate knows the evidence before the committee and could, if desired, supplement the dossier with a written response, or by appearing before the committee to make a statement. The summary should include extracts of any significant information from all letters and reports while maintaining confidentiality.

The tenure committee shall have the following composition:

- i) For the multi-departmental divisions, the chair of the tenure committee shall be the chair of the department, except in exceptional circumstances and with the approval of the division head and the Vice-President and Provost. The committee shall, in addition to the chair, consist of the head of the division or his or her representative, the Dean of the School of Graduate Studies or his or her representative, as well as four members of the professorial staff having tenure, at least two of who should be from the department involved and the graduate department chair where the department chair and the graduate department chair are not the same person. Any members of the tenure committee who are not members of the department involved should come from cognate departments or divisions.
- ii) For non-departmental divisions, the chair of the tenure committee shall be the division head or his or her representative. The committee shall, in addition to the chair, consist of the Dean of the School of Graduate Studies or his or her representative, as well as five members of the professorial staff having tenure, at least two of whom should be from the division involved. Any members of the tenure committee who are not members of the division involved should come from cognate departments or divisions.
- iii) The provisions below in Sections 17 and 18 must also be followed.
- iv) In unusual circumstances, and with the approval of the division head and the Vice-President and Provost, a tenured professor from another university whose discipline is similar to that of the individual under review may be substituted for one of the members representing the departmental professorial staff or the cognate university unit.

15. Documentation for Tenure Consideration

The documentation to be made available to the tenure committee shall include the following:

i) **The Candidate's Curriculum Vitae**

The preparation of the curriculum vitae shall be the responsibility of the candidate with appropriate assistance and advice from the division or department head.

The curriculum vitae should be in four parts:

- a) The academic history of the candidate giving name, date of birth, institution at which each degree was obtained together with the date obtained, titles of graduate theses and supervisors' names (where applicable), list of all teaching and research appointments held and other relevant experience quoting dates and institutions, any honours, prizes, etc., received since the first degree was obtained, the present appointment, and all other activities related to the candidate's work at the University. In addition, there should be a list of all research or other grants obtained, together with the name of the granting agency, the date, the duration, the amount of award and any research contracts entered into.
- b) A list of the candidate's scholarly and professional work including work published, completed but not yet published, in press, submitted for publication, and in progress. This would include books, chapters in books, articles, and review articles written by the candidate and also any work in non-print media as well as the presentation of papers at meetings and symposia. In the case of work which has not yet been published, the candidate should give a brief account of the stage of progress reached at the time the list is prepared.

- c) A list of all courses, graduate and undergraduate, taught by the candidate. If the candidate has had major responsibility for the design of a course, this should be stated; a course outline and reading list and set of essay topics should be supplied, where these give evidence as to the candidate's ability in designing the course. A list of senior undergraduate students and graduate students supervised, indicating whether primary or sole supervision or else secondary or joint supervision, together with their thesis topics and the dates indicating the period of supervision for each candidate should also be included.
- d) A list of committees and organizations within the University on which the candidate has served. The candidate may also include a similar list of committees and organizations outside the University together with the period of service and the candidate's function on them, where those committees or organizations closely relate to the candidate's academic discipline or scholarly activities.

ii) Assessment of the Candidate's Scholarly & Professional Accomplishments

Copies of the work that the candidate has completed, or has nearly completed, should be given or in the case of non-written work, made known in appropriate form, to the division head or chair who should arrange for its assessment by specialists in the candidate's field. These referees should be invited to assess the candidate's work against the published criteria for the granting of tenure. However, the candidate's permission is required before unpublished work may be communicated outside the tenure committee. An internal assessment should be provided by the reading committee specified in iv) below, and additional internal assessments may be obtained from individual specialists.

Normally, written specialist assessments of the candidate's work should also be obtained from outside the University; the candidate should be invited to nominate several external referees, and the division head or chair should solicit letters of reference from at least one of them and from one or more additional specialists chosen by himself or herself. These referees should be invited to assess the candidate's work against the published criteria for the granting of tenure and advise whether or not the candidate's work demonstrates the achievement of excellence in research (including equivalent and creative or professional work); or if not, whether or not it clearly establishes competence. In addition members of the department, including students, may be invited to submit written opinions of the candidate's qualifications. All referees' letters should be submitted in confidence to the tenure committee with, if appropriate, the chair's comments on the status and competence of the referees.

iii) Assessments of the Candidate's Teaching Ability

Written assessments of the candidate's teaching ability shall be prepared in accordance with guidelines approved for the relevant department or division. These guidelines specify the manner in which the division will provide the committee with evidence from the individual's peers and from students and will offer the candidate the opportunity to supplement his or her files. Changes to divisional guidelines must be approved by the Vice-President and Provost and reviewed by the Academic Board.

When a member of the teaching staff is or has been cross-appointed, assessments should be sought from all of the divisions in which he or she has taught, and should be taken fully into account by the tenure committee.

iv) Evaluations by Internal Departmental or Divisional Committees

Divisions and departments shall establish internal reading and evaluation committees to assess and prepare written evaluations of material presented by candidates with respect to their scholarly and professional accomplishments. Such committees may also gather and provide information concerning a candidate's qualifications with respect to any of the published criteria for the granting of tenure. Such committees should state their evaluation of the candidate's work against the published criteria and advise whether or

not the candidate's work demonstrates the achievement of excellence in research (including equivalent and creative or professional work), or if not, whether or not it clearly establishes competence. However, there should be no formal recommendation, in favour of tenure or opposed to tenure, from the department or division or from any group in the department or division, to the tenure committee.

16. Approval Procedures for Tenure Decisions

The tenure committee shall meet and consider all the evidence put before it. The quorum of the committee shall be the full membership. The candidate shall be given an opportunity to make a written statement and/or to appear before and make an oral statement to the tenure committee, but is not entitled to be present throughout or otherwise participate in the tenure consideration. In cases where the committee finds it difficult to reach a clear-cut recommendation on the basis of the evidence available, it may recess for a short period, normally no longer than a month, to obtain additional or supplementary information from the candidate or other sources.

The meetings of the tenure committee shall be held in camera, and each person accepting appointment to the committee shall agree to treat as confidential all information given to the committee, and all matters pertaining to and deliberations of the committee.

The tenure committee shall have the power to take only one of two possible decisions: to recommend that tenure be granted or that tenure be denied. A recommendation to grant tenure must be approved by at least five of the seven members of the committee, or six of eight members of the committee in cases where the department chair and the graduate chair are not the same person. Voting is to be by private ballot. When the voting is concluded, the chair of the tenure committee will announce to the committee how each member of the committee voted, and the total number of votes for and against the granting of tenure. If there are more than two negative votes or abstentions, this constitutes a decision to recommend that tenure not be granted. The decision must be taken on the basis of the evidence available at the time of the meeting and should be reasonable in light of the standards that were generally applied in the division in recent years. Where the committee is unable to reach a decision promptly, a new committee shall be established immediately to take one of the two decisions required unless the Office of the Vice-President and Provost is convinced that the circumstances are unusual enough to justify delaying the appointment of a new committee for a period of up to one year. For the purposes of this section, a new committee is one in which all of the members, except the ex officio members, are new.

Reasons for a proposed negative recommendation shall be given to the candidate who shall have an opportunity to respond to them, either orally or in writing, within fifteen days of notification. Thereafter, the committee shall make its final decision on the recommendation for communication to the head of the division and shall prepare and adopt a statement of the reasons for the decision, and, in the case of a negative decision, a summary of the evidence. The summary of the evidence should be prepared in sufficient detail to enable the candidate to make a particular response to all of the significant components if he or she appeals to the Tenure Appeal Committee in Section 23 below.

As soon as practicable after the tenure committee's decision, the head of the division should inform the candidate whether or not tenure has been recommended and so inform the President through the Office of the Vice-President and Provost. At this point, in the event of a negative recommendation the candidate should be furnished with the statement of reasons for the decision and the summary of evidence.

After the President has made his or her decision on the recommendation of the tenure committee he or she shall notify the head of the division and the candidate. Where tenure has been denied, the division head or the chair of the department in consultation with the division head should recommend the duration of the candidate's terminal contract which should be for either one or two years followed by automatic termination with no further review.

Approved awards of tenured appointments shall be reported to the Academic Board of the

Governing Council for information.

17. Cross-Appointments from Externally Controlled Institutions

Members of the teaching staff may hold cross-appointments to externally controlled institutions and to other academic units in the University according to the following regulations set out below and in Section 18.

Members of the teaching staff who are cross-appointed from externally controlled institutions, including other universities, the Royal Ontario Museum, and the Ontario College of Art and Design, shall be deemed to hold part-time appointments making them ineligible for tenured status in the University. Those members of staff now cross-appointed from these institutions, and already holding tenured appointments, shall continue to do so.

18. Cross-Appointments within the University

- i) Members of the teaching staff may hold cross-appointments to University College, New College, Innis College, the School of Continuing Studies, and Woodsworth College, but such appointments should not be designated as the primary or secondary appointment unit for the purposes of this document, no matter what share of the salary may be carried by the budget of any of these colleges. Such units shall not be entitled to representation on the tenure committee, or to participate in deciding on committee membership or in the preparation of documentation. Where a candidate is under consideration for tenure and holds such a cross-appointment the chair of the tenure committee must secure from the college principal an evaluation of the candidate's contribution to the college and such evidence shall be considered by the tenure committee.
- ii) In the case of a member of the teaching staff who holds a cross-appointment within the University, duties and salary should be divided in such a way that there is always a primary appointment, carrying more than fifty per cent of salary and a secondary appointment carrying the salary balance. If a faculty member is appointed to more than two academic divisions or departments within the University, that unit which carries the largest salary share should be designated as the primary appointment unit. For purposes of tenure consideration the operative division of salary leading to the definition of the primary appointment should be that in effect in the month of September immediately preceding the spring in which the tenure decision is to be made. The division in which the primary appointment is held will take responsibility for endeavouring, as far as it is within its power and control, to see that the appointee's rights are protected.

The head of the division in which the primary appointment is held shall through such officers (e.g., departmental chairs) as are appropriate, be responsible for notifying the candidate and for the preparation of the documentation for the candidate's tenure consideration.

The preparation of documentation must be done in collaboration with the appropriate officers of other divisions in which the candidate holds or has held cross-appointments, and the evidence of this collaboration must be placed before the tenure committee; its absence shall be grounds for a request for a review of the decision. The officer of the division or department of primary appointment and the officer of the division or department of secondary appointment should submit recommendations for members of the teaching staff to be appointed to the tenure committee to the head of the primary division, who should appoint the teaching staff members. The tenure committee shall then be enlarged by one member, the chair of the department or other academic officer of the division in which the secondary appointment is held. Six votes shall then be required to recommend tenure. If there are more than two negative votes or abstentions this constitutes a decision to recommend that tenure not be granted. The quorum of the committee shall still be the total membership.

Where the candidate holds or has held more than one cross-appointment, the head of the division of primary appointment shall appoint the additional member from one of the

departments or divisions of secondary appointment after consultation with the heads of divisions and chairs concerned. Other divisions where secondary appointments are held shall be asked for their evaluation of the candidate, but shall not be entitled to representation on the committee, or to participate in deciding on committee membership, or in the preparation of documentation. In no case, regardless of the number of cross-appointments, should more than eight people serve on the tenure committee.

- iii) All faculty appointed to a tenure-stream position shall hold a non-budgetary cross-appointment to an appropriate graduate department. Decisions regarding such cross-appointments shall be made jointly by the appointing unit and the graduate department.
- iv) Members of the teaching staff may hold cross-appointments even without salary in undergraduate or graduate departments other than the principal graduate department appointment under para (iii), as appropriate, regardless of campus. Such cross-appointments must have the consent of all departments and divisions involved, and will not confer primary or secondary appointment unit status, or any review or tenure committee rights and responsibilities, upon the departments to which these other cross-appointments are made.
- v) Those current (as of 30 June 2003) UTM and UTSC faculty who are non-budgetary members of St. George campus departments may continue their membership in those departments, if they so choose, through non-budgetary cross-appointments. Such cross-appointments will have the status, for the purposes of this document, of those described in (iv) above. The same provision holds for any current St. George faculty with non-budgetary cross-appointments to UTM and/or UTSC.

19. Appointments Authority of Centres and Institutes of the University

The following multi-disciplinary centres and institutes of the University, which have both master's and doctoral programmes, shall be granted authority to initiate appointments and to recommend tenure and promotion:

Centre for Medieval Studies

Centre for the Study of Drama

Centre for Comparative Literature

Institute for the History and Philosophy of Science and Technology

Centre of Criminology

Canadian Institute for Theoretical Astrophysics

Such appointments, although initiated by a multi-disciplinary unit, should still be cross-appointments since they should always include a divisional or departmental component. The multi-disciplinary centre or institute should, however, be the unit of primary appointment.

Other centres and institutes which develop both master's and doctoral programmes may be granted similar authority but only with the written agreement of the Dean of the School of Graduate Studies and the Vice-President and Provost, and on the recommendation of the Academic Board to the Governing Council. All such applications should be dealt with on an individual basis. Unless approval is granted as outlined above, such units shall not be regarded as the primary appointment unit for the purposes of this document.

The University's policies and procedures for academic appointments shall be followed for primary appointments by multi-disciplinary centres and institutes. However, before approving such appointments, the Vice-President and Provost and the Dean of the School of Graduate Studies should ensure that there is an academic need in terms of teaching and research, and also that a suitable cross-appointment cannot be arranged from within the University. The Dean should also ascertain that a prospective appointee will meet the appointment standards of the unit of secondary appointment.

[COMMENT: Section 20 and 21 have been deleted. They dealt with cross-appointments and tenure specifically for Erindale and Scarborough teaching staff as differing from St. George teaching staff. They have now been included in sections 8, 14, 16 and 18.]

IV. APPEALS AGAINST DENIAL OF TENURE

22. Tenure Appeal Committee

The Tenure Appeal Committee shall consist of a chair and four other members drawn from a Panel of up to eight members. The members shall be appointed by the President after consultation with the University of Toronto Faculty Association. The chair of the committee shall be appointed by the President. Members of the Tenure Appeal Committee shall have two-year terms with half of the membership completing their terms each year. The chair shall have a two-year term.

Future vacancies, including that of the chair, shall be filled by the President after consultation with the Association.

23. Grounds for Appeal

A person who has been denied tenure shall have the right to appeal on one or more of the following grounds.

- a) A significant irregularity or unfairness in the procedure, followed by the tenure committee, or in the selection of its members;
- b) Improper bias or motive on the part of any member of the tenure committee;
- c) Improper bias or motive on the part of any person whose opinion may have materially influenced the decision of the committee;
- d) The decision is unreasonable in the light of the evidence which was available or should have been available to the committee and in light of the standards that were generally applied in the division in recent years.

24. Review Procedures for Appeals

A candidate must give notice of appeal against a denial of tenure within thirty working days of being informed of the President's decision. The Tenure Appeal Committee shall have the power, under circumstances which it considers exceptional, to extend this time limit. The notice of appeal should be addressed to the chair of the Tenure Appeal Committee and should specify the grounds on which the appeal is based.

The candidate and the chair of the department or head of the division concerned shall both be given an opportunity to appear and present evidence and argument to the Tenure Appeal Committee. If it is thought necessary, the Tenure Appeal Committee may request that an investigator be appointed to assist it.

The Tenure Appeal Committee shall have the following two options open to it, and its decision concerning these two options shall be final. It may:

- a) dismiss the appeal; or
- b) if it finds that any grounds in Section 23 above are substantiated, remit the case to a second tenure committee to be set up by the President for consideration of the question of tenure. In circumstances which it considers exceptional, the Tenure Appeal Committee shall have the power to direct, in general terms, the composition of the second tenure committee. The recommendation of the second tenure committee shall not be subject to further review. In cases where only technical or procedural matters are at issue, the Tenure Appeal Committee may recall the original tenure committee to reconsider its decision. Such action would require prior agreement from the appellant.

25. Procedures for Second Tenure Committees

Subject to directions as to membership of a second tenure committee noted in Section 24(b), the composition of the second tenure committee shall resemble that of the original tenure committee, but shall not include any member of the original committee. The only exception to the composition of the second tenure committee resembling that of a regular tenure committee shall be the requirement that the second tenure committee include at least one tenured professor from another university whose discipline is similar to that of the individual under review.

In the selection of members of the second tenure committee, the candidate and the chair of the department in multi-departmental divisions, or the head of the academic division, shall identify to the President the names of any individuals who are clearly unacceptable as members of the second tenure committee. The President, in consultation with the division head, shall then select the chair and the other persons for the second tenure committee and advise the appellant and the head of the academic division of the individuals selected. If either the candidate or the chair of the academic department or head of the academic division then wishes to protest the inclusion of any member on the committee, it shall be his or her responsibility to present to the President evidence of previous involvement of that individual in the decision of the original tenure committee which would justify disqualification.

The second tenure committee shall be empowered to obtain such information and to interview such persons as it may judge to be useful to its reaching a judgment of the case. The appellant and the departmental chair or head of the academic division of which the appellant is a member shall have the right to make representation to the committee (either orally or in writing as the committee may direct). Information about the appellant to be considered shall include that which relates to the performance of the individual for the period up to the time of review by the original tenure committee. No contributions to teaching and research made subsequent to the decision of the original tenure committee shall be admissible for consideration.

The quorum of the second tenure committee shall be the full membership. All members of the second tenure committee including the chair shall have a vote. A motion of the second tenure committee to recommend the granting of tenure shall require at least five votes in favour to be carried. If there are more than two negative votes or abstentions, this constitutes a decision to recommend that tenure not be granted.

Meetings of the second tenure committee shall be held in camera, and each person accepting appointment to the committee shall agree to treat as confidential all information given to the committee, and all matters pertaining to and deliberations of the committee.

The chair of the second tenure committee shall report the committee's recommendation to the President. The President will inform the candidate of the tenure decision with a statement of reasons supporting that decision.

In matters of procedure not provided for in this section, the procedures prescribed for the original tenure committee shall apply.

26. Rights of Faculty Members Granted Tenure upon Appeal

In the event that a faculty member is granted tenure by the second tenure committee, that person shall immediately be considered for any promotion and be eligible for any merit salary increases that may have been denied him or her by reason of the tenure denial. In the event of undue delay or similar circumstances, a faculty member who has been granted tenure by the second tenure committee may apply to the President of the University for reimbursement of expenses responsibly incurred in his or her tenure appeal.

V. TERMINATION OF TENURED APPOINTMENTS

27. Grounds for Termination

The appointment of a member of the teaching staff holding tenure may be terminated by the University prior to the normal age of retirement either:

- a) for cause, which means:
 - 1) persistent neglect of, or repeated refusal without sufficient cause to carry out, reasonable duties assigned by the appropriate academic authority;
 - 2) inability to carry out reasonable duties, except for reasons falling within B) below;
 - 3) failure to maintain reasonable competence in his or her discipline, including, without limitation, competence in teaching and research;
 - 4) gross misconduct; or
- b) where, without fault on his or her part, the member is prevented by a cause or matter beyond his or her control from carrying out reasonable duties, including, without limitation, physical or mental illness or injury, except where and so long as the member (or his or her legal representative) makes no claim against the University for salary or other remuneration.

28. Procedure Relating to Termination

- a) Where a division head has or is presented with reason to believe that a ground may exist for termination of the appointment of a member of the teaching staff holding tenure and either:
 - i) the ground does not constitute an offence under the University of Toronto Code of Behaviour on Academic Matters, or
 - ii) the ground may constitute such an offence but a decision is made by the appropriate person not to proceed with a charge against the member under the Rules of Procedure governing the proceedings of the University Tribunal,the division head shall immediately notify the Vice-President and Provost and the President of the University and request the President to appoint a Hearing Committee for the purposes hereinafter set out. If the President accepts the request, he or she shall initiate the procedures outlined in the following sections.
- b) An attempt shall be made to settle the matter informally at a meeting involving the President, the Vice-President and Provost, the division head, the member of the teaching staff and a disinterested senior academic administrator or senior professor acceptable to the member and to the division head.
- c) If the attempt to settle the matter informally fails, the President shall inform the member of the teaching staff, in writing, of his or her intention to institute proceedings for termination of appointment and shall give reasonable information as to the alleged ground for termination.
- d) Within three weeks the President and the member shall jointly name a Hearing Committee of three university faculty members from this University or elsewhere. If agreement cannot be reached on the composition of the Hearing Committee within the three-week period, the most senior judge of the Supreme Court of Ontario who is willing to act and who is not a member of the Governing Council shall be asked to name the Hearing Committee.
- e) The Hearing Committee shall inform the President and the member of the time and place designated for the hearing. The hearing shall commence within three weeks of the appointment of the committee.
- f) The Hearing Committee shall proceed to determine, in accordance with the Statutory

Powers Procedure Act, 1971 whether a ground for termination of appointment exists.

- g) The President and the member shall be the parties to the proceedings.
- h) If the Hearing Committee decides that a ground for termination of appointment exists, the President may carry a recommendation for termination to the Governing Council or impose some other sanction. If the Hearing Committee decides that a ground for termination does not exist but that misconduct has taken place (whether or not the nature of which may constitute an offence under the University of Toronto Code of Behaviour on Academic Matters, as amended from time to time), it may impose one or more of the other sanctions for offences committed by members of the teaching staff set out in that Code. No further or other action shall be taken against the member.
- i) Where a member of the teaching staff declines to participate in naming a Hearing Committee it may be done jointly by the President and the President of the University of Toronto Faculty Association and in the case of disagreement as to the composition of the Committee, the procedure under Section d) applies.
- j) The decision of a Hearing Committee shall be final and not subject to appeal.

A member of the faculty who desires to terminate his or her appointment shall give reasonable notice in writing.

VI. CONTRACTUALLY LIMITED TERM APPOINTMENTS

- 29. i) Full-time appointments at the rank of Assistant Professor (Conditional), Assistant Professor, Associate Professor or Professor may also be made for contractually limited terms normally of one, two or three years' duration.
- ii) Where circumstances justify and with the approval of the Vice-President and Provost, an extension may be granted. The option to extend may be exercised only once and then not to exceed a total maximum of five years.
- iii) In those instances where the somewhat unusual circumstances of the positions warrant, an initial appointment may be made for a period of up to five years. For any initial appointment of more than three years, the approval of the Vice-President and Provost is required.
- i) In no case may the term specified together with any subsequent extension exceed five years.
- iv) Such a term appointment is for a specified period and does not involve a continuing commitment by the University beyond the term stated.
- v) Notice of termination must be given by December 31 of the final appointment year.
- vi) The procedures of Sections 1 to 7 should be followed when making term appointments except that the provision for annual appointment of Assistant Professors (Conditional) for up to six years is inapplicable. Sections 8 to 28 do not apply.
- vii) A faculty member holding a contractually-limited term appointment may apply, in competition with other qualified candidates, for an appointment which carries tenure or for an appointment leading to consideration of tenure. The time spent by the faculty member holding a contractually-limited term appointment will be taken into account in establishing the date for consideration of tenure, if the faculty member is given an appointment leading to the consideration of tenure. In such instances the faculty member and the appropriate division will agree to the manner of converting years of contractually-limited service to probationary years for tenure consideration.
- viii) Necessary statistical data will be compiled annually and the provisions of this section will be reviewed annually by the Joint Committee of the Faculty Association and the University.

- ix) A copy of this policy will be given to each appointee at the time of initial appointment.
- x) Full-time clinical staff members in the Faculty of Medicine are exempt from the provisions of this section.
- xi) Individuals supported 75% or greater from designated outside grants shall be exempt. The specific grants so designated shall be determined by the Vice-President and Provost in consultation with the division head. In no case should the term of the appointment exceed the term of the grant.

VII. TEACHING STREAM APPOINTMENTS

30.

- i) a. The ranks of Assistant Professor, Teaching Stream (Conditional); Assistant Professor, Teaching Stream; Associate Professor, Teaching Stream; and Professor, Teaching Stream are to be held by faculty members whose duties normally consist of teaching students who are in degree programs or the Transitional Year Programme, and other professional and administrative activities related to teaching. Faculty members in the Teaching Stream may have direct responsibility for the administration of one or more large undergraduate courses or for the co-ordination of undergraduate programs at both the department level and in College-based programs. The expectation of faculty members in the teaching stream is that they bring a dimension of teaching excellence and educational innovation that enhances undergraduate or graduate education and adds significantly to the quality of the student experience. Where the position requires graduate teaching, an appointment to a University graduate department will also be made. Other cross-appointments to departments on other campuses may also be made, with or without salary, where appropriate.
- b. Those current (as of 30 June 2003) UTM and UTSC Assistant Professor, Teaching Stream and above who are non-budgetary members of St. George campus departments may continue their membership in those departments, if they so choose, through non-budgetary cross-appointments. Such cross-appointments will not confer continuing status committee rights and responsibilities upon the departments to which these cross-appointments are made. The same provision holds for any current St. George Assistant Professor, Teaching Stream and above with non-budgetary cross-appointments to UTM and/or UTSC.
- ii) All teaching stream appointments require Provostial approval. The appointment procedures for members of the teaching stream should follow the policies and procedures set out in Section 5 above, except that the phrase at the end of Section 5.ii should be “scholarship as evidenced in teaching and related pedagogical/professional activities”.
- iii) To qualify for appointment to the rank of Assistant Professor, Teaching Stream, or above, the candidate should normally be required to show evidence as to the successful completion of a doctoral programme or other scholarly or creative professional work regarded by the division or department as equivalent. A candidate who does not so qualify should not be appointed to the rank of Assistant Professor, Teaching Stream or above, but should receive appointment as an Assistant Professor, Teaching Stream (Conditional).

Any member of the teaching stream enrolled in a doctoral programme at any university and appointed with the expectation that the Ph.D. degree or its equivalent will be conferred must remain at the Assistant Professor, Teaching Stream (Conditional) rank until the degree is conferred or until he or she indicates that the formal doctoral programme has been abandoned and is able to show evidence of satisfactory scholarly work. Successful completion of a doctoral programme or other scholarly or professional

work regarded by the division or department as equivalent would make the candidate eligible for an appointment at the rank of Assistant Professor, Teaching Stream. When a candidate enters the teaching stream, he or she should not serve more than four years, including a terminal year, at the Assistant Professor, Teaching Stream (Conditional) rank. Assistant Professor, Teaching Stream (Conditional) should receive annual contracts terminable on not less than six months written notice.

- iv) All appointments to the teaching stream shall receive detailed letters of appointment which set out the responsibilities of the position and specifies whether the appointment is in the continuing status stream or is a Contractually Limited Term Appointment under section 30 (xviii) below.
- v) Initial appointments should be at the rank of Assistant Professor, Teaching Stream except, in special circumstances, with the permission of the Vice-President and Provost on recommendation of the chair of the department or the head of the division concerned.
- vi) Performance will be assessed on teaching effectiveness and pedagogical/professional development related to teaching duties, in accordance with approved divisional guidelines on the assessment of teaching. Administrative service will be considered, where such service is related to teaching duties or to curricular and professional development.

Probationary Review

- vii) On initial appointment to a position in the continuing status stream, an Assistant Professor, Teaching Stream should receive a four year contract and it should be clearly understood that the University is under no obligation to renew the contract when it expires, unless the candidate has a successful interim review.

The performance of an Assistant Professor, Teaching Stream should be reviewed no earlier than May 1 of the third year of the contract, by a committee appointed by the division head or, in the multi-departmental divisions, by the department chair. Those raised from Assistant Professor, Teaching Stream (Conditional) rank to Assistant Professor, Teaching Stream after the beginning of the regular appointment year, and who are in the continuing status stream, shall be deemed to have received a four-year contract from the following July 1.

The review of such an initial appointment should be essentially different in purpose and procedures from a continuing status review. The committee should consider two questions:

- a) Has the appointee's performance been sufficiently satisfactory for a second probationary appointment to be recommended?
- b) If reappointment is recommended, what counselling should be given to the appointee to assist him or her to improve areas of weakness and maintain areas of strength?

The procedures of the review committee should be made known to the appointee, but they cannot be rigidly defined for the University as a whole. Rather, the procedures should be flexibly designed by each division or department with the aim of eliciting and considering all possible relevant information and should include a classroom visit or other teaching observation. Course evaluation should be considered and also signed opinions of individual students if these are available. Written comments from other department members, formally or informally acquainted with the appointee's teaching or pedagogical/professional activity, should be solicited. Normally no later than the May 1, the appointee should be asked to submit their teaching dossier and an account of pedagogical/ professional activity which has been completed or undertaken since the time of initial appointment; however, lack of substantial achievement in this area since appointment should not, in itself, be cause for non-renewal of contract. The appointee will not normally be required to complete the submission prior to June 30. Notice that the contract will or will not be renewed on the following July 1 must be given in writing no later than December 31. If requested, a written statement of reasons for a decision to recommend that a contract not be renewed shall be supplied, within one week of such a request, by the chair of the review committee.

- viii) A decision not to renew a contract may be appealed by a member of the continuing status stream holding an initial appointment as Assistant Professor, Teaching Stream only on one or more of the following grounds:
- a) A significant irregularity in the procedure followed by the review committee;
 - b) An unreasonable inconsistency in the application of the current standards of the division or department; or
 - c) Improper bias or motive on the part of a member of the review committee.

In the multi-departmental divisions, the appeal will be considered by the principal or dean. In other divisions, the appeal will be considered by a principal or dean designated for this purpose by the Vice-President and Provost. Where the appellant is cross-appointed, the person to hear the appeal will be determined according to the division in which the appellant holds his or her primary appointment. In a case where the person who would otherwise hear the appeal was a member of the review committee, the Provost should designate another principal or dean (not a member of that committee) to hear the appeal. Appeals must be made in writing within fifteen (15) working days of written notice of non-renewal and the appellant informed of the decision within twenty (2) working days of the appeal. A person appealing a non-renewal of contract shall have a right to a summary of any written evidence which must be described in enough detail to enable him or her to make a particular response to all the significant components, and to appear and present arguments on any of the three grounds listed above. The decision of the principal or dean may be appealed to the Vice-President and Provost within ten days. The Vice-President and Provost's decision will be final, and cannot be grieved.

If an Assistant Professor, Teaching Stream is granted a renewal of his or her contract, that renewal should be for a period of two years, and he or she must be considered for continuing status in the terminal year of this contract. Upon reappointment, the faculty member will be offered an academic term to focus on preparing for continuing status review and to address any advice from the interim review. Normally this term will not include assigned teaching above ½ of the normal teaching assignments or service, but with the candidate's agreement the term may include more than ½ of the normal teaching assignments or some assigned service, in order to reflect feedback from the interim review.

- ix) Candidates may make a written request for a delay in the probationary review or consideration for continuing status based on pregnancy and/or parental or adoption leave or serious personal circumstances beyond their control such as illness or injury. Delays may be granted for one year but no more than 2 years with the approval in writing of the Vice-President and Provost. Written requests by a candidate for further delays based on the provisions of *Ontario Human Rights Code* as amended from time to time (the "Code") will be considered by the Vice-President and Provost on a case-by-case basis, it being understood and agreed that such requests must be made by the candidate in writing at the earliest opportunity in a probationary review or consideration for continuing status process (i.e. as soon as a candidate knows or reasonable ought to know that their interim review or consideration for continuing status may warrant a delay based on the provisions of the Code.)

Continuing Status Review

- x) A positive recommendation for continuing status will require the judgment of excellence in teaching and evidence of demonstrated and continuing future pedagogical/professional development.
 - a) Excellence in teaching may be demonstrated through a combination of excellent teaching skills, creative educational leadership and/or achievement, and innovative teaching initiatives in accordance with appropriate divisional guidelines.
 - b) Evidence of demonstrated and continuing future pedagogical/professional

development may be demonstrated in a variety of ways e.g. discipline-based scholarship in relation to, or relevant to, the field in which the faculty member teaches; participation at, and contributions to, academic conferences where sessions on pedagogical research and technique are prominent; teaching-related activity by the faculty member outside of his or her classroom functions and responsibilities; professional work that allows the faculty member to maintain a mastery of his or her subject area in accordance with appropriate divisional guidelines.

The candidate's performance will be assessed by a continuing status committee of faculty members struck for this purpose by the chair or division head; the committee will contain at least one teaching stream member with continuing status from the department or a cognate area, the chair or representative of any academic unit (including graduate department), as appropriate, to which the candidate is cross-appointed, and a decanal representative or (in the case of a single- departmental faculty) a provostial representative. The chair shall formally notify the candidate as to the individuals whom he or she intends to ask to serve on the continuing status committee. If the candidate has reason to believe that any member of the committee cannot make his or her decision solely on the basis of the evidence available at the time of the continuing status committee meeting, he or she should indicate this to the division head or the appropriate Vice-Provost. The division head or chair shall then formally notify the candidate of the final composition of the continuing status committee and when the process of review, including assembling of documentation, is about to begin and when it will be completed.

The candidate, with appropriate assistance and advice from the division or department head, will prepare a dossier in accordance with Divisional Guidelines for submission to the continuing status committee by June 30th.

Written specialist assessments of the candidate's teaching and pedagogical/professional activities should also be obtained from outside the University; the candidate should be invited to nominate several external referees, and the division head or chair should solicit letters of reference from at least one of them and from one or more additional specialists chosen by himself or herself. These referees should be invited to assess the candidate's work against the Divisional Guidelines for the granting of continuing status and advise whether or not the candidate's work demonstrates the achievement of excellence in teaching and evidence of demonstrated and continuing future pedagogical/professional development.

The division head or chair shall prepare and provide a written summary of the content of the external assessments and other evaluations, without identifying their source, to the candidate at the time of submission of the dossier to the continuing status committee normally at least one week prior to the first meeting of the committee. It is important that the summary be sufficiently detailed that the candidate knows the evidence before the committee and could, if desired, supplement the dossier with a written response, or by appearing before the committee to make a statement. The summary should include extracts of any significant information from all letters and reports while maintaining confidentiality.

Reasons for a proposed negative recommendation shall be given to the candidate who shall have an opportunity to respond to them, either orally or in writing, within fifteen days of notification. Thereafter, the committee shall make its final decision on the recommendation for communication by the Chair to the head of the division or the Vice-Provost in the case of a single department division and shall prepare and adopt a statement of the reasons for the decision, and, in the case of a negative decision, a summary of the evidence. The summary of the evidence should be prepared in sufficient detail to enable the candidate to make a particular response to all of the significant components if he or she appeals under section xi below.

Recommendation for continuing status must be made by the chair to the dean in a multi-departmental division and requires the approval of the Vice-President and Provost.

The continuing status review should be completed and the candidate notified by December 31st.

An unsuccessful candidate will be provided with employment to December 31 of the following year for a total of twelve (12) months terminal contract employment in connection with the termination of contract and employment effective the following December 31.

- xi) A negative recommendation may be appealed following the Grievance Procedure set out in Article 7 of the Memorandum of Agreement, commencing at Step 3.
- xii) A continuing appointment provides a safeguard for free enquiry and discussion, the exercise of critical capacities, honest judgment, and independent criticism of matters both outside and within the University. It entails acceptance by a member of the University of the obligation to perform his or her functions as a member of the faculty. The performance of a teaching stream member with continuing status shall be reviewed annually in accordance with normal divisional practice for all faculty.

Teaching Stream Contractually Limited Term Appointments

- xiii) Full-time appointments at the rank of Assistant Professor, Teaching Stream, Associate Professor, Teaching Stream or Professor, Teaching Stream may also be made for contractually-limited terms normally of one, two or three years' duration.
- xiv) Where circumstances justify and with the approval of the Vice-President and Provost, an extension may be granted. The option to extend may be exercised only once and then not to exceed a total maximum of five years.
- xv) Individuals holding a CLTA teaching stream appointment may apply, in competition with other qualified candidates, for an appointment which carries continuing status or for an appointment leading to consideration of continuing status.
- xvi) Individuals supported 75% or greater from designated outside grants shall be exempt. The specific grants so designated shall be determined by the Vice-President and Provost in consultation with the division head. In no case should the term of the appointment exceed the term of the grant.
- xvii) In no case may the term specified together with any subsequent extension exceed five years.
- xviii) Such a term appointment is for a specified period and does not involve a continuing commitment by the University beyond the term stated.
- xix) Notice of termination must be given by December 31 of the final appointment year.

Termination

- xx) At any time, the appointment of a teaching stream faculty member may be terminated for cause, including incompetence, persistent neglect of duty or gross misconduct. Such termination shall be made only on the recommendation of a committee of inquiry appointed by the appropriate academic administrator.
- xxi) A decision to terminate a contract may be appealed only if it is for cause. Appeals shall follow the Grievance Procedure set out in Article 7 of the Memorandum of Agreement, commencing at Step 3. Appeals must be made in writing by the teaching stream faculty member within fifteen working days of receipt of a written statement of reasons for termination.
- xxii) The appointment of a teaching stream faculty member may be terminated without fault or cause by reason of curricular change as determined in a multi-year academic plan approved by the Vice- President and Provost, where such change removes an area or field of teaching.

- xxiii) Termination under xxii) will take place only if the Vice-President and Provost determines that the University cannot offer equivalent alternative employment for the teaching stream faculty member. In making a determination about alternative employment, the Provost will chair a committee of three faculty members, including the Provost, with the other members chosen in consultation with the Faculty Association. Termination under xxii) requires due notice or pay in lieu and severance payment upon a schedule agreed upon from time to time.

**31. Athletics Instructor and Senior Athletics Instructor
(This section applies only to Athletics Instructors and Senior Athletics Instructors who commenced employment prior to June 26, 2015)**

- i) The ranks of Athletics Instructor and Senior Athletics Instructor are to be held by faculty members whose primary duties consist of teaching in co-curricular instructional programs in athletics, and/or coaching in intramural or inter-university athletics. Teaching in degree programs may be offered to qualified individuals, but such teaching will form a minority percentage of duties.
- ii) Appointment procedures for these ranks should follow the University's general principles for open and advertised searches as set out in Section 5 above, with a search committee advisory to the Dean of the Faculty of Physical Education and Health.
- iii) Initial appointments should be at the rank of Athletics Instructor except in special circumstances, with the permission of the Vice-President and Provost on the recommendation of the Dean.
- iv) Appointments at the rank of Athletics Instructor are annual. Notice of non-renewal must be given at least six months before the end of the contract.
- v) No later than October of the fifth year (or earlier at the request of the Athletics Instructor and with the permission of the Vice-President and Provost), an Athletics Instructor's performance shall be reviewed and a recommendation made with respect to promotion to Senior Athletics Instructor as of the following July. A negative recommendation will result in no further contracts beyond the then current contract.
- vi) Performance will be assessed on effectiveness in instruction and/or coaching. A positive recommendation for promotion will require the judgement of excellence in performance and evidence of continued professional development. A negative recommendation regarding promotion to Senior Athletics Instructor may be appealed following the Grievance Procedure set out in Article 7 of the Memorandum of Agreement, commencing at Step 3.
- vii) Senior Athletics Instructors hold continuing appointments in the University. Their performance will be reviewed annually in accordance with normal divisional practice for all faculty.
- viii)
 - a) At any time, the appointment of an Athletics Instructor or Senior Athletics Instructor may be terminated for cause, including incompetence, persistent neglect of duty or gross misconduct. Such termination shall be made only on the recommendation of a committee of inquiry appointed by the appropriate academic administrator.
 - b) The appointment of a Senior Athletics Instructor may be terminated without fault or cause by reason of curricular or program change, in a multi-year plan recommended by the Dean and approved by the Provost. Such termination requires due notice or pay in lieu and severance payment upon a schedule agreed upon from time to time.
- ix) Appeals of a negative promotion recommendation or dismissal for cause shall follow the Grievance Procedure set out in Article 7 of the Memorandum of Agreement, commencing at Step 3. Appeals must be made in writing by the Athletics Instructor or Senior Athletics Instructor within fifteen working days of receipt of a written denial of promotion or a

written statement of reasons for termination.

- x) Notwithstanding Article 4, Sections a. through c., of the Memorandum of Agreement, after six continuous years of full-time service at any academic staff rank, Senior Athletics Instructors are eligible to apply for paid release time of up to six months at 100% salary and benefits, where the applicant wishes to engage in professional development related to duties normally undertaken. Approval should not be unreasonably denied, although the timing of leaves may be adjusted at the Dean's discretion, taking into account program needs.

VIII. Reduction of Full-time Equivalent to Part-time FTE

32. Tenured Faculty

A part-time appointment is one that does not exceed 75 percent of full-time employment.

Individuals holding a tenured full-time appointment may, with the agreement of the unit head and the appropriate division head, and with the approval of the Vice-President & Provost, reduce their appointment to part-time. Requests for such a reduction in percentage of appointment shall not be unreasonably denied by the University.

Appointments shall not normally be reduced to less than 20% FTE. Reductions in percentage of appointment shall not normally exceed three (3) consecutive years, unless the basis for the reduction is an accommodation under the Ontario Human Rights Code.

Unless the basis for a reduction in percentage of appointment is an accommodation under the Ontario Human Rights Code, a reduction in percentage of appointment shall not exceed three (3) consecutive years, and the faculty member must return to a full-time appointment at the expiry of the term of reduction in percentage appointment unless the reduction is extended in writing with the agreement of the faculty member, and the agreement of the unit head and the appropriate division head, and with the approval of the Vice-President & Provost.

33. Continuing Status Teaching Stream Faculty

A part-time appointment is one that does not exceed 75 percent of full-time employment.

Individuals holding a continuing status teaching stream appointment may, with the agreement of the unit head and the appropriate division head, and with the approval of the Vice-President & Provost, reduce their appointment to part-time. Requests for such a reduction in percentage of appointment shall not be unreasonably denied by the University.

Appointments shall not normally be reduced to less than 20% FTE. Reductions in percentage of appointment shall not normally exceed three (3) consecutive years, unless the basis for the reduction is an accommodation under the Ontario Human Rights Code.

Unless the basis for a reduction in percentage of appointment is an accommodation under the Ontario Human Rights Code, a reduction in percentage of appointment shall not exceed three (3) consecutive years, and the faculty member must return to a full-time appointment at the expiry of the term of reduction in percentage appointment unless the reduction is extended in writing with the agreement of the faculty member, and the agreement of the unit head and the appropriate division head, and with the approval of the Vice-President & Provost.

VIII.IX. OTHER CATEGORIES OF APPOINTMENT

32.34. University Professors

- i) Senior scholars of the University may be appointed to the rank of University Professor in recognition of unusual scholarly achievement and preeminence in a particular field of knowledge. The number of such appointments should be approximately 15 but should not in any case exceed 2% of the tenured faculty. This number would not include persons

holding Emeritus appointments. A University Professor would, upon reaching age 65, retain the title of University Professor Emeritus or Emerita.

- ii) A selection committee appointed by the President shall be composed of six senior members of the teaching staff and two senior members of the teaching staff from other universities. The Vice-President and Provost shall chair the selection committee. The selection committee's membership shall be reported for information to the Academic Board. The nomination of individuals to be considered University Professors should be an open one.
- iii) The selection committee shall recommend, by consensus, the nominees to the President. The Provost, on behalf of the President, shall recommend appointments as University Professors to the Academic Board in closed session. Such recommendations shall be accompanied by written statement outlining the accomplishments of each nominee.

Part VIII, Sections 32 and 33 added as a result of facilitated negotiations with UTFA approved by Governing Council, October 29, 2020

RELATED DOCUMENTS

[University of Toronto Act, 1971](#)

[Ontario Human Rights Code](#)

END OF POLICY AND PROCEDURES ON ACADEMIC APPOINTMENTS



UNIVERSITY OF TORONTO

University of Toronto
Governing Council

Policy and Procedures on Academic Appointments

Effective January 1, 2021

To request an official copy of this policy, contact:

The Office of the Governing Council
Room 106, Simcoe Hall
27 King's College Circle
University of Toronto
Toronto, Ontario
M5S 1A1

Phone: 416-978-6576

Fax: 416-978-8182

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Website: <http://www.governingcouncil.utoronto.ca/>

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Policy and Procedures on Academic Appointments

All regulations pertaining to appointments and tenure shall be given in writing to newly-appointed members of the academic staff of the University of Toronto.

I. APPOINTMENTS POLICY AND PROCEDURES¹

There should be a continuous planning process in each academic unit with the objective of delineating future plans and developments. Against such plans, requests for new appointments can be judged and the nature of candidates to be sought determined.

For the purposes of this document academic unit is defined by Section 1(1)(a) of the University of Toronto Act 1971, amended in 1978. Division head shall mean the Principal, Dean or Director of the corresponding College, Faculty or School, which shall be referred to as division. The following faculties are deemed to be multi-departmental divisions with departmental chairs:

Faculty of Arts and Science

Faculty of Medicine

Faculty of Applied Science and Engineering

Erindale College (University of Toronto at Mississauga)

The School of Graduate Studies

The Ontario Institute for Studies in Education of the University of Toronto

Scarborough College (University of Toronto at Scarborough)

1. These principles and procedures apply to all full-time appointments to the rank of Assistant Professor (Conditional) and above, and to the rank of Assistant Professor, Teaching Stream (Conditional) and above. Appointments on a part-time basis should be made in accordance with the Policy and Procedures on Employment Conditions of Part-Time Faculty.
2. All divisions must seek the approval of the Vice-President and Provost for an increase in staff, or for the filling of a vacant position in the tenure stream, or for a position with tenure. Approval must be obtained for contractually-limited term appointments as specified in Section 29 below.
3. There should be close co-operation between the Faculty of Arts and Science (St. George) and relevant Divisions, the School of Graduate Studies, Scarborough College (University of Toronto at Scarborough) and Erindale College (University of Toronto at Mississauga) in all aspects of appointments policies. Each campus should retain, however, a significant degree of initiative in determining the patterns of faculty recruitment.
4. Where appropriate, academic units should explore the possibility of using staff resources in other universities as an alternative to new or replacement appointments. Except under unusual circumstances and with the explicit approval of the Office of the Vice-President and Provost, appointment of University of Toronto teaching staff to other universities or the appointment of staff members from other universities to this University should not be on an overload basis. A released time agreement with shared responsibility and payment of reasonable out-of-pocket expenses should be the normal arrangement.

¹This policy shall be applied to all academic staff members unless an individual specifically requests consideration under the policy in force at the time of his or her appointment. Previous appointment policies are accessible through the Provost's Office.

5. Procedures should be adopted to ensure that an adequate list of possible candidates of quality is obtained and that the selection from this list has been properly and effectively carried out. The Vice-President and Provost with the appropriate consultation should be permitted to waive some or all of the procedural requirements of this recommendation in exceptional cases. Cases where the procedural requirements are waived should be reported to the Academic Board. The procedures should include the following:
 - i) The position should be advertised widely in such journals as University Affairs and the CAUT Bulletin as well as in national and international journals in the discipline concerned and other appropriate periodicals. Advertisements must also be sent to all the corresponding divisions or departments in other Canadian universities. The objective of wide advertisement is to ensure that the position is drawn to the attention of as many potential candidates as possible in order to increase the chances that the names of the best possible candidates will appear on the list of those to be considered.
 - ii) All documentation for candidates must be obtained in writing. The documentation for each candidate should include a current curriculum vitae and several letters of recommendation indicating the candidate's capacity for scholarship as evidenced by teaching and research.
 - iii) These applications should be assessed and judged by a committee of the division or department which would assist the dean or chair in producing a "short list" of approximately three candidates.
 - iv) In all divisions the division head should be notified of the Search Committee's recommendation and the reasons for the Committee's selection of the individual over other candidates on the "short list". The division head, if satisfied that an effective search has been made, shall then seek the Provost's approval to authorize the departmental chair in multi-departmental divisions to proceed with the making of a formal offer to the selected candidate. In other faculties, the formal offer to the selected candidate will be made by the head of the division or designate after receiving the Provost's approval. In the case of the appointment of a full professor with tenure, this section is modified by Section II below.
 - v) Where a cross-appointment, as for example to University, New, Innis, or Woodsworth College or to another division, institute, centre or department, is to be made at the time of initial appointment, the heads of the academic units concerned should be involved in the preparation of the "short list" mentioned in iii); moreover, each of these academic units should be represented on the committee which assists in the preparation of that list. Similarly the final choice mentioned in iv) should have the approval of the heads of the academic unit concerned. The authorizations mentioned in iv) and v) shall be given by both or all of the division heads concerned after receiving the Provost's approval.
 - vi) Visiting appointments normally are those where the individual appointed retains a continuing appointment in another institution. Such appointments will be approved by the division head and normally will be for no longer than one year. Appointments for longer than one year require the approval of the Vice-President and Provost. Visiting appointments are exempt from all other procedures in this document.

II. THE PROBATION PERIOD

6. The Assistant Professor rank should be the normal starting point for a person beginning a University career of research and teaching. Evidence of candidates' teaching ability or potential and assessments of their promise of future intellectual and professional development, should be sought and considered when making such appointments.

To qualify for appointment to the rank of Assistant Professor or above, the candidate should be required to show evidence of his or her ability to undertake independent scholarly activity, such as the successful completion of a doctoral programme or other scholarly or professional work regarded by the division or department as equivalent. A candidate who does not so qualify

should not be appointed to the rank of Assistant Professor or above, but should receive appointment as an Assistant Professor (Conditional).

7. Any member of the teaching staff enrolled in a doctoral programme at any university and appointed with the expectation that the Ph.D. degree or its equivalent will be conferred must remain at the Assistant Professor (Conditional) rank until the degree is conferred or until he or she indicates that the formal doctoral programme has been abandoned and is able to show evidence of satisfactory scholarly work. Successful completion of a doctoral programme or other scholarly or professional work regarded by the division or department as equivalent would make the member of the teaching staff eligible for an appointment at the rank of Assistant Professor. Where a member of the teaching staff is expected to enter the tenure stream, he or she should not serve more than six years, including a terminal year, at the Assistant Professor (Conditional) rank. Assistant Professors (Conditional) should receive annual contracts terminable on not less than six months written notice.
8. On initial appointment to a position in the tenure stream an Assistant Professor should receive a four-year contract and it should be clearly understood that the University is under no obligation to renew the contract when it expires. The performance of a member of the teaching staff holding such a contract should be reviewed no earlier than May 1 of the third year of the contract, by a committee appointed by the division head or, in the multi-departmental divisions, by the department chair. For compelling academic reasons such as the need to set up new research facilities, and with the approval of the Vice-President and Provost, an Assistant Professor may be given an initial appointment of up to five years, with a performance review no earlier than May 1 of the penultimate year. Those raised from the Assistant Professor (Conditional) rank to Assistant Professor after the beginning of the regular appointment year, and who are in the tenure stream, shall be deemed to have received a four-year contract from the following July 1.

In the case of staff members appointed to graduate departments covering more than one campus, the review committee shall be appointed by the relevant campus department chair, in consultation with the graduate chair where the graduate chair is not also the relevant campus department chair. For faculty cross-appointed to other departments or divisions and where such cross-appointments carry a commitment to at least one quarter of the candidate's salary, the review committee shall be appointed jointly by the respective division heads or department chairs. In the case of staff members who are cross-appointed to New College, Innis College, Woodsworth College or University College, the College principal does not participate in the appointment of the review committee. In these cases the review committee must obtain from the College principal an appraisal of the candidate's College contribution to be considered along with other relevant evidence of the candidate's scholarly ability.

The review of such an initial appointment should be essentially different in purpose and procedures from a tenure review. The committee should consider two questions.

- a) Has the appointee's performance been sufficiently satisfactory for a second probationary appointment to be recommended?
- b) If reappointment is recommended, what counselling should be given to the appointee to assist him or her to improve areas of weakness and maintain areas of strength?

The procedures of the review committee should be made known to the appointee, but they cannot be rigidly defined for the University as a whole. Rather the procedures should be flexibly designed by each division or department with the aim of eliciting and considering all possible relevant information. Course evaluation should be considered and also signed opinions of individual students if these are available. Written comments from other department members, formally or informally acquainted with the appointee's teaching or scholarship, should be solicited. Normally no later than 30th June, the appointee should be asked to submit an account of research or creative professional activity which has been completed or undertaken since the time of initial appointment; however, lack of substantial achievement in this area since appointment should not, in itself, be a cause for non-renewal of contract. The appointee will not normally be

required to complete the submission prior to August 31. Notice that the contract will or will not be renewed on the following July 1 must be given in writing no later than November 30. If requested, a written statement of reasons for a decision to recommend that a contract not be renewed shall be supplied, within one week of such a request, by the chair of the review committee.

9. A decision not to renew a contract may be appealed by a member of the teaching staff holding an initial appointment as Assistant Professor in the tenure stream only on one or more of the following grounds:
 - a) a significant irregularity in the procedure followed by the review committee;
 - b) an unreasonable inconsistency in the application of the current standards of the division or department; or
 - c) improper bias or motive on the part of a member of the review committee.

In the multi-departmental divisions, the appeal will be considered by the principal or dean. In other divisions, the appeal will be considered by a principal or dean designated for this purpose by the Vice-President and Provost. Where the appellant is cross-appointed, the person to hear the appeal will be determined according to the division in which the appellant holds his or her primary appointment. In a case where the person who would otherwise hear the appeal was a member of the review committee, the Provost should designate another principal or dean (not a member of that committee) to hear the appeal. Appeals must be made in writing within fifteen (15) working days of written notice of non-renewal and the appellant informed of the decision within twenty (20) working days of the appeal. A person appealing a non renewal of contract shall have a right to a summary of any written evidence which must be described in enough detail to enable him or her to make a particular response to all the significant components, and to appear and present arguments on any of the three grounds listed above. The decision of the principal or dean may be appealed to the Vice-President and Provost within ten days. The Vice-President and Provost's decision will be final, and cannot be grieved.

If an Assistant Professor in the tenure stream is granted a renewal of his or her contract, that renewal should be for a period of up to two years, and he or she must be considered for tenure in the terminal year of this contract. Appointees who have been granted a renewal of their initial contract are entitled to request an adjustment to their workload assignment for one academic term in order to allow them to focus on preparing for their tenure consideration and to address any advice from the review of their initial appointment. Normally this term will not include assigned teaching, or service; but the term may include assigned teaching, with the candidate's agreement, in order to address advice from their review. The candidate should be notified of the result of the tenure consideration not later than April 15 of that year. The length of the contract may vary from case to case, particularly if previous service at the rank of Assistant Professor (Conditional) at this University or at an equivalent rank at another university is to be taken into account in establishing an earlier date for consideration of tenure. At the time of making an appointment to the Assistant Professor rank, it is the responsibility of the division head, or of the department chair in the multi-departmental divisions to reach an explicit understanding with the member of the teaching staff as to the time at which tenure will be considered; where the initial appointment involves a cross-appointment, the responsibility for reaching this understanding will rest with the head, or chair, as the case may be, of the division or department of the primary appointment.

10. In exceptional circumstances, with the approval of the division head and the Vice-President and Provost, a candidate may be considered for tenure earlier than provided for in (9) above but only if the consent of the candidate is obtained in writing. However, no Assistant Professor should be granted tenure until he or she has served a minimum of three years at this University at the Assistant Professor rank except in extraordinary circumstances upon the approval of the Vice-President and Provost. No later than April 15 of the final year of the probationary period, the candidate should be considered for tenure and notified of the result.

Candidates may make a written request for a delay in the interim review or consideration for tenure based on pregnancy and/or parental or adoption leave or serious personal

circumstances beyond their control such as illness or injury or damage to their research facilities. Delays may be granted for one year but not more than 2 years with the approval in writing of the Vice-President and Provost. Written requests by a candidate for further delays based on the provisions of *Ontario Human Rights Code* as amended from time to time (the “Code”) will be considered by the Vice-President and Provost on a case-by-case basis, it being understood and agreed that such requests must be made by the candidate in writing at the earliest opportunity in the interim review or consideration for tenure process (i.e. as soon as a candidate knows or reasonably ought to know that their interim year review or consideration for tenure may warrant a delay based on the provisions of the Code.)

11. A member of the teaching staff appointed initially at the rank of Associate Professor, with the exception of those appointed under Section 29, either should be considered for tenure at the time of appointment or should receive a three-year contract. In the latter case, he or she should be considered for tenure in the third year of the contract and should be notified of the result not later than April 15 of that year. If the candidate's consent is obtained in writing, he or she may be considered for tenure earlier. In any case, the regular procedures and composition of committees for consideration of tenure shall be followed.

If the initial appointment is at the rank of Professor, that appointment should be with tenure, with the exception of those appointed under Section 29. Before the offer of such an appointment is made, the proposal must be approved by the division head, the Dean of the School of Graduate Studies and the Office of the Vice-President and Provost.

When an academic administrator is recommended for appointment from outside this University under the “Policy on Appointment of Academic Administrators”, he or she must also be recommended for tenure in the appropriate department or division, by a duly constituted tenure committee if at the rank of Associate Professor or by the provisions of the preceding paragraph if at the rank of Professor.

In the case of a member of the teaching staff of a clinical department in the Faculty of Medicine who is also a licensed clinician on the staff of a teaching hospital, the term of the University contract of appointment during the probationary period should normally be made concurrent with his or her corresponding contractual arrangement with the teaching hospital. However, the term of the University appointment during the probationary period should in no case exceed the term of the contract which the member of the teaching staff would otherwise have received under this section or in 8, 9, or 10 above.

Note: The Academic Affairs Committee approved the following on May 1, 1975

"That, pending the receipt of further advice from the Faculty of Medicine, the implementation of (6) to (11) of the academic appointments policy be delayed for clinical staff. For the purposes of this recommendation, clinical staff are staff in the following departments of the Faculty of Medicine who also hold active staff appointments in an affiliated teaching hospital:

- Anaesthesia
- Clinical Biochemistry
- Family and Community Medicine
- Medicine
- Medical Microbiology
- Obstetrics and Gynaecology
- Ophthalmology
- Otolaryngology
- Paediatrics
- Pathology

Psychiatry
 Radiology
 Rehabilitation Medicine, and
 Surgery

Full-time staff in these departments who do not hold active staff appointments in the affiliated teaching hospitals should remain subject to the same tenure procedures as other full-time University staff members.

This delay in implementation also applies to any subsequent policy statements arising out of the Appointment Task Force Report, concerning tenured appointments."

III. CRITERIA FOR GRANTING TENURED APPOINTMENTS

The Nature of Tenure

Tenure, as understood herein, is the holding by a member of the professorial staff of the University of a continuing full-time appointment which the University has relinquished the freedom to terminate before the normal age of retirement except for cause and under the conditions specified in Sections 27 and 28 below.

Tenure provides a necessary safeguard for free enquiry and discussion, the exercise of critical capacities, honest judgment, and independent criticism of matters both outside and within the University.

Tenure entails acceptance by a member of the University of the obligation to perform conscientiously his or her functions as a teacher and a scholar.

Tenure shall be granted only by a definite act, under stipulated conditions on the basis of merit.

12. The set of general criteria outlined below should be used as the basis for a decision on the granting of tenure. It is, however, recognized that significant differences among divisions and disciplines in the University will lead to some differences in the detailed application of these criteria. Nevertheless there should be a high degree of uniformity across the University, in standards and procedures for granting tenure. It is also recognized that the tenure committee's recommendation should be made on the evidence that is available to the committee at the time of their recommendation and should be reasonable in light of the standards that were generally applied in the division in recent years.
13. Tenured appointments should be granted on the basis of three essential criteria: achievement in research and creative professional work, effectiveness in teaching, and clear promise of future intellectual and professional development. Contributions in the area of university service may constitute a fourth factor in the tenure decision but should not, in general, receive a particularly significant weighting.
 - a) Achievement in research or creative professional work is evidenced primarily, but not exclusively, by published work in the candidate's discipline; in this context, published work may include books, monographs, articles and reviews and, where appropriate, significant works of art or scholarly research expressed in media other than print. It may also be evidenced by various other types of creative or professional work, including community service, where such work is comparable in level and intellectual calibre with scholarly production and relates directly to the candidate's academic discipline. Research also encompasses unpublished writings and work in progress. Scholarly achievement may be demonstrated by consideration of theses or other material prepared or written under the candidate's direct supervision. In some exceptional cases, weight should be given to "unwritten scholarship" of the type displayed in public lectures, formal colloquia and informal academic discussions with colleagues.

- b) Effectiveness in teaching is demonstrated in lectures, seminars, laboratories and tutorials as well as in more informal teaching situations such as counselling students and directing graduate students in the preparation of theses. It is, however, recognized that scholarship must be manifested in the teaching function and that a dogmatic attempt to separate "scholarship" and "teaching" is somewhat artificial. Three major elements should be considered in assessing the effectiveness of a candidate's teaching: the degree to which he or she is able to stimulate and challenge the intellectual capacity of students; the degree to which the candidate has an ability to communicate well; and the degree to which the candidate has a mastery of his or her subject area.
- c) An assessment of promise of future intellectual and professional development will inevitably be based on the vitality and progress the candidate has demonstrated as a teacher and scholar during his or her probationary years at this University. A positive judgment on this criterion means that the members of the tenure committee are reasonably convinced that, following the granting of tenure and the long-term commitment that it implies, the candidate will continue to make a valuable contribution to his or her discipline.
- d) University service primarily means university, divisional or departmental committee or administrative work.

Clear promise of future intellectual and professional development must be affirmed for tenure to be awarded. Demonstrated excellence in one of research (including equivalent and creative or professional work) and teaching, and clearly established competence in the other, form the second essential requirement for a positive judgment by the tenure committee. Only outstanding performance with respect to University service should be given any significant weight and, even then, only if there are no substantial reservations relating to the research, teaching and future promise criteria.

14. Detailed Procedures for Tenure Consideration

Each division head or chair of the department in the multi-departmental divisions shall have the responsibility:

- i) to ensure that those members of the teaching staff who must be considered for tenure in the spring term of an academic year are identified in the previous May;
- ii) to notify the candidate, normally no later than June 30th, that he or she will be considered for tenure in the following spring and when the process of review, including assembling of documentation, is about to begin and when it will be completed. Candidates should normally be provided with a period of at least 6 weeks in which to assemble and prepare the documentation required from them as set out below and will not normally be asked to submit their research dossier prior to July 1.
- iii) to notify formally the candidate as to the individuals whom he or she intends to ask to serve on the tenure committee. This notification will normally happen in the fall. If the staff member has reason to believe that any member of the committee, including the division head or chair, cannot make his or her decision solely on the basis of the evidence available at the time of the tenure committee meeting, he or she should indicate this to the division head or the appropriate Vice-Provost. The division head or chair shall then formally notify the staff member of the final composition of the tenure committee;
- iv) in consultation with the graduate chair, to complete and to present the documents to the tenure committee, and to ensure that the fullest possible documentation is made available. Each member of the teaching staff being considered for tenure shall prepare a curriculum vitae as indicated in Section 15 below and shall make available to the division head or chair all papers and documents as indicated below. The division head or chair shall obtain the necessary appraisals of the candidate's work and the evaluation of the internal reading committee with respect to the documentation provided for the tenure committee. The division head or chair shall prepare and provide a written summary of the content of the

above appraisals and evaluation, without identifying their source, to the candidate at the time of submission of the dossier to the tenure committee normally at least one week prior to the first meeting of the tenure committee. It is important that the summary be sufficiently detailed that the candidate knows the evidence before the committee and could, if desired, supplement the dossier with a written response, or by appearing before the committee to make a statement. The summary should include extracts of any significant information from all letters and reports while maintaining confidentiality.

The tenure committee shall have the following composition:

- i) For the multi-departmental divisions, the chair of the tenure committee shall be the chair of the department, except in exceptional circumstances and with the approval of the division head and the Vice-President and Provost. The committee shall, in addition to the chair, consist of the head of the division or his or her representative, the Dean of the School of Graduate Studies or his or her representative, as well as four members of the professorial staff having tenure, at least two of who should be from the department involved and the graduate department chair where the department chair and the graduate department chair are not the same person. Any members of the tenure committee who are not members of the department involved should come from cognate departments or divisions.
- ii) For non-departmental divisions, the chair of the tenure committee shall be the division head or his or her representative. The committee shall, in addition to the chair, consist of the Dean of the School of Graduate Studies or his or her representative, as well as five members of the professorial staff having tenure, at least two of whom should be from the division involved. Any members of the tenure committee who are not members of the division involved should come from cognate departments or divisions.
- iii) The provisions below in Sections 17 and 18 must also be followed.
- iv) In unusual circumstances, and with the approval of the division head and the Vice-President and Provost, a tenured professor from another university whose discipline is similar to that of the individual under review may be substituted for one of the members representing the departmental professorial staff or the cognate university unit.

15. Documentation for Tenure Consideration

The documentation to be made available to the tenure committee shall include the following:

i) The Candidate's Curriculum Vitae

The preparation of the curriculum vitae shall be the responsibility of the candidate with appropriate assistance and advice from the division or department head.

The curriculum vitae should be in four parts:

- a) The academic history of the candidate giving name, date of birth, institution at which each degree was obtained together with the date obtained, titles of graduate theses and supervisors' names (where applicable), list of all teaching and research appointments held and other relevant experience quoting dates and institutions, any honours, prizes, etc., received since the first degree was obtained, the present appointment, and all other activities related to the candidate's work at the University. In addition, there should be a list of all research or other grants obtained, together with the name of the granting agency, the date, the duration, the amount of award and any research contracts entered into.
- b) A list of the candidate's scholarly and professional work including work published, completed but not yet published, in press, submitted for publication, and in progress. This would include books, chapters in books, articles, and review articles written by the candidate and also any work in non-print media as well as the presentation of papers at meetings and symposia. In the case of work which has not yet been published, the candidate should give a brief account of the stage of progress reached at the time the list is prepared.

- c) A list of all courses, graduate and undergraduate, taught by the candidate. If the candidate has had major responsibility for the design of a course, this should be stated; a course outline and reading list and set of essay topics should be supplied, where these give evidence as to the candidate's ability in designing the course. A list of senior undergraduate students and graduate students supervised, indicating whether primary or sole supervision or else secondary or joint supervision, together with their thesis topics and the dates indicating the period of supervision for each candidate should also be included.
- d) A list of committees and organizations within the University on which the candidate has served. The candidate may also include a similar list of committees and organizations outside the University together with the period of service and the candidate's function on them, where those committees or organizations closely relate to the candidate's academic discipline or scholarly activities.

ii) Assessment of the Candidate's Scholarly & Professional Accomplishments

Copies of the work that the candidate has completed, or has nearly completed, should be given or in the case of non-written work, made known in appropriate form, to the division head or chair who should arrange for its assessment by specialists in the candidate's field. These referees should be invited to assess the candidate's work against the published criteria for the granting of tenure. However, the candidate's permission is required before unpublished work may be communicated outside the tenure committee. An internal assessment should be provided by the reading committee specified in iv) below, and additional internal assessments may be obtained from individual specialists.

Normally, written specialist assessments of the candidate's work should also be obtained from outside the University; the candidate should be invited to nominate several external referees, and the division head or chair should solicit letters of reference from at least one of them and from one or more additional specialists chosen by himself or herself. These referees should be invited to assess the candidate's work against the published criteria for the granting of tenure and advise whether or not the candidate's work demonstrates the achievement of excellence in research (including equivalent and creative or professional work); or if not, whether or not it clearly establishes competence. In addition members of the department, including students, may be invited to submit written opinions of the candidate's qualifications. All referees' letters should be submitted in confidence to the tenure committee with, if appropriate, the chair's comments on the status and competence of the referees.

iii) Assessments of the Candidate's Teaching Ability

Written assessments of the candidate's teaching ability shall be prepared in accordance with guidelines approved for the relevant department or division. These guidelines specify the manner in which the division will provide the committee with evidence from the individual's peers and from students and will offer the candidate the opportunity to supplement his or her files. Changes to divisional guidelines must be approved by the Vice-President and Provost and reviewed by the Academic Board.

When a member of the teaching staff is or has been cross-appointed, assessments should be sought from all of the divisions in which he or she has taught, and should be taken fully into account by the tenure committee.

iv) Evaluations by Internal Departmental or Divisional Committees

Divisions and departments shall establish internal reading and evaluation committees to assess and prepare written evaluations of material presented by candidates with respect to their scholarly and professional accomplishments. Such committees may also gather and provide information concerning a candidate's qualifications with respect to any of the published criteria for the granting of tenure. Such committees should state their evaluation of the candidate's work against the published criteria and advise whether or

not the candidate's work demonstrates the achievement of excellence in research (including equivalent and creative or professional work), or if not, whether or not it clearly establishes competence. However, there should be no formal recommendation, in favour of tenure or opposed to tenure, from the department or division or from any group in the department or division, to the tenure committee.

16. Approval Procedures for Tenure Decisions

The tenure committee shall meet and consider all the evidence put before it. The quorum of the committee shall be the full membership. The candidate shall be given an opportunity to make a written statement and/or to appear before and make an oral statement to the tenure committee, but is not entitled to be present throughout or otherwise participate in the tenure consideration. In cases where the committee finds it difficult to reach a clear-cut recommendation on the basis of the evidence available, it may recess for a short period, normally no longer than a month, to obtain additional or supplementary information from the candidate or other sources.

The meetings of the tenure committee shall be held in camera, and each person accepting appointment to the committee shall agree to treat as confidential all information given to the committee, and all matters pertaining to and deliberations of the committee.

The tenure committee shall have the power to take only one of two possible decisions: to recommend that tenure be granted or that tenure be denied. A recommendation to grant tenure must be approved by at least five of the seven members of the committee, or six of eight members of the committee in cases where the department chair and the graduate chair are not the same person. Voting is to be by private ballot. When the voting is concluded, the chair of the tenure committee will announce to the committee how each member of the committee voted, and the total number of votes for and against the granting of tenure. If there are more than two negative votes or abstentions, this constitutes a decision to recommend that tenure not be granted. The decision must be taken on the basis of the evidence available at the time of the meeting and should be reasonable in light of the standards that were generally applied in the division in recent years. Where the committee is unable to reach a decision promptly, a new committee shall be established immediately to take one of the two decisions required unless the Office of the Vice-President and Provost is convinced that the circumstances are unusual enough to justify delaying the appointment of a new committee for a period of up to one year. For the purposes of this section, a new committee is one in which all of the members, except the ex officio members, are new.

Reasons for a proposed negative recommendation shall be given to the candidate who shall have an opportunity to respond to them, either orally or in writing, within fifteen days of notification. Thereafter, the committee shall make its final decision on the recommendation for communication to the head of the division and shall prepare and adopt a statement of the reasons for the decision, and, in the case of a negative decision, a summary of the evidence. The summary of the evidence should be prepared in sufficient detail to enable the candidate to make a particular response to all of the significant components if he or she appeals to the Tenure Appeal Committee in Section 23 below.

As soon as practicable after the tenure committee's decision, the head of the division should inform the candidate whether or not tenure has been recommended and so inform the President through the Office of the Vice-President and Provost. At this point, in the event of a negative recommendation the candidate should be furnished with the statement of reasons for the decision and the summary of evidence.

After the President has made his or her decision on the recommendation of the tenure committee he or she shall notify the head of the division and the candidate. Where tenure has been denied, the division head or the chair of the department in consultation with the division head should recommend the duration of the candidate's terminal contract which should be for either one or two years followed by automatic termination with no further review.

Approved awards of tenured appointments shall be reported to the Academic Board of the

Governing Council for information.

17. Cross-Appointments from Externally Controlled Institutions

Members of the teaching staff may hold cross-appointments to externally controlled institutions and to other academic units in the University according to the following regulations set out below and in Section 18.

Members of the teaching staff who are cross-appointed from externally controlled institutions, including other universities, the Royal Ontario Museum, and the Ontario College of Art and Design, shall be deemed to hold part-time appointments making them ineligible for tenured status in the University. Those members of staff now cross-appointed from these institutions, and already holding tenured appointments, shall continue to do so.

18. Cross-Appointments within the University

- i) Members of the teaching staff may hold cross-appointments to University College, New College, Innis College, the School of Continuing Studies, and Woodsworth College, but such appointments should not be designated as the primary or secondary appointment unit for the purposes of this document, no matter what share of the salary may be carried by the budget of any of these colleges. Such units shall not be entitled to representation on the tenure committee, or to participate in deciding on committee membership or in the preparation of documentation. Where a candidate is under consideration for tenure and holds such a cross-appointment the chair of the tenure committee must secure from the college principal an evaluation of the candidate's contribution to the college and such evidence shall be considered by the tenure committee.
- ii) In the case of a member of the teaching staff who holds a cross-appointment within the University, duties and salary should be divided in such a way that there is always a primary appointment, carrying more than fifty per cent of salary and a secondary appointment carrying the salary balance. If a faculty member is appointed to more than two academic divisions or departments within the University, that unit which carries the largest salary share should be designated as the primary appointment unit. For purposes of tenure consideration the operative division of salary leading to the definition of the primary appointment should be that in effect in the month of September immediately preceding the spring in which the tenure decision is to be made. The division in which the primary appointment is held will take responsibility for endeavouring, as far as it is within its power and control, to see that the appointee's rights are protected.

The head of the division in which the primary appointment is held shall through such officers (e.g., departmental chairs) as are appropriate, be responsible for notifying the candidate and for the preparation of the documentation for the candidate's tenure consideration.

The preparation of documentation must be done in collaboration with the appropriate officers of other divisions in which the candidate holds or has held cross-appointments, and the evidence of this collaboration must be placed before the tenure committee; its absence shall be grounds for a request for a review of the decision. The officer of the division or department of primary appointment and the officer of the division or department of secondary appointment should submit recommendations for members of the teaching staff to be appointed to the tenure committee to the head of the primary division, who should appoint the teaching staff members. The tenure committee shall then be enlarged by one member, the chair of the department or other academic officer of the division in which the secondary appointment is held. Six votes shall then be required to recommend tenure. If there are more than two negative votes or abstentions this constitutes a decision to recommend that tenure not be granted. The quorum of the committee shall still be the total membership.

Where the candidate holds or has held more than one cross-appointment, the head of the division of primary appointment shall appoint the additional member from one of the

departments or divisions of secondary appointment after consultation with the heads of divisions and chairs concerned. Other divisions where secondary appointments are held shall be asked for their evaluation of the candidate, but shall not be entitled to representation on the committee, or to participate in deciding on committee membership, or in the preparation of documentation. In no case, regardless of the number of cross-appointments, should more than eight people serve on the tenure committee.

- iii) All faculty appointed to a tenure-stream position shall hold a non-budgetary cross-appointment to an appropriate graduate department. Decisions regarding such cross-appointments shall be made jointly by the appointing unit and the graduate department.
- iv) Members of the teaching staff may hold cross-appointments even without salary in undergraduate or graduate departments other than the principal graduate department appointment under para (iii), as appropriate, regardless of campus. Such cross-appointments must have the consent of all departments and divisions involved, and will not confer primary or secondary appointment unit status, or any review or tenure committee rights and responsibilities, upon the departments to which these other cross-appointments are made.
- v) Those current (as of 30 June 2003) UTM and UTSC faculty who are non-budgetary members of St. George campus departments may continue their membership in those departments, if they so choose, through non-budgetary cross-appointments. Such cross-appointments will have the status, for the purposes of this document, of those described in (iv) above. The same provision holds for any current St. George faculty with non-budgetary cross-appointments to UTM and/or UTSC.

19. Appointments Authority of Centres and Institutes of the University

The following multi-disciplinary centres and institutes of the University, which have both master's and doctoral programmes, shall be granted authority to initiate appointments and to recommend tenure and promotion:

Centre for Medieval Studies

Centre for the Study of Drama

Centre for Comparative Literature

Institute for the History and Philosophy of Science and Technology

Centre of Criminology

Canadian Institute for Theoretical Astrophysics

Such appointments, although initiated by a multi-disciplinary unit, should still be cross-appointments since they should always include a divisional or departmental component. The multi-disciplinary centre or institute should, however, be the unit of primary appointment.

Other centres and institutes which develop both master's and doctoral programmes may be granted similar authority but only with the written agreement of the Dean of the School of Graduate Studies and the Vice-President and Provost, and on the recommendation of the Academic Board to the Governing Council. All such applications should be dealt with on an individual basis. Unless approval is granted as outlined above, such units shall not be regarded as the primary appointment unit for the purposes of this document.

The University's policies and procedures for academic appointments shall be followed for primary appointments by multi-disciplinary centres and institutes. However, before approving such appointments, the Vice-President and Provost and the Dean of the School of Graduate Studies should ensure that there is an academic need in terms of teaching and research, and also that a suitable cross-appointment cannot be arranged from within the University. The Dean should also ascertain that a prospective appointee will meet the appointment standards of the unit of secondary appointment.

[COMMENT: Section 20 and 21 have been deleted. They dealt with cross-appointments and tenure specifically for Erindale and Scarborough teaching staff as differing from St. George teaching staff. They have now been included in sections 8, 14, 16 and 18.]

IV. APPEALS AGAINST DENIAL OF TENURE

22. Tenure Appeal Committee

The Tenure Appeal Committee shall consist of a chair and four other members drawn from a Panel of up to eight members. The members shall be appointed by the President after consultation with the University of Toronto Faculty Association. The chair of the committee shall be appointed by the President. Members of the Tenure Appeal Committee shall have two-year terms with half of the membership completing their terms each year. The chair shall have a two-year term.

Future vacancies, including that of the chair, shall be filled by the President after consultation with the Association.

23. Grounds for Appeal

A person who has been denied tenure shall have the right to appeal on one or more of the following grounds.

- a) A significant irregularity or unfairness in the procedure, followed by the tenure committee, or in the selection of its members;
- b) Improper bias or motive on the part of any member of the tenure committee;
- c) Improper bias or motive on the part of any person whose opinion may have materially influenced the decision of the committee;
- d) The decision is unreasonable in the light of the evidence which was available or should have been available to the committee and in light of the standards that were generally applied in the division in recent years.

24. Review Procedures for Appeals

A candidate must give notice of appeal against a denial of tenure within thirty working days of being informed of the President's decision. The Tenure Appeal Committee shall have the power, under circumstances which it considers exceptional, to extend this time limit. The notice of appeal should be addressed to the chair of the Tenure Appeal Committee and should specify the grounds on which the appeal is based.

The candidate and the chair of the department or head of the division concerned shall both be given an opportunity to appear and present evidence and argument to the Tenure Appeal Committee. If it is thought necessary, the Tenure Appeal Committee may request that an investigator be appointed to assist it.

The Tenure Appeal Committee shall have the following two options open to it, and its decision concerning these two options shall be final. It may:

- a) dismiss the appeal; or
- b) if it finds that any grounds in Section 23 above are substantiated, remit the case to a second tenure committee to be set up by the President for consideration of the question of tenure. In circumstances which it considers exceptional, the Tenure Appeal Committee shall have the power to direct, in general terms, the composition of the second tenure committee. The recommendation of the second tenure committee shall not be subject to further review. In cases where only technical or procedural matters are at issue, the Tenure Appeal Committee may recall the original tenure committee to reconsider its decision. Such action would require prior agreement from the appellant.

25. Procedures for Second Tenure Committees

Subject to directions as to membership of a second tenure committee noted in Section 24(b), the composition of the second tenure committee shall resemble that of the original tenure committee, but shall not include any member of the original committee. The only exception to the composition of the second tenure committee resembling that of a regular tenure committee shall be the requirement that the second tenure committee include at least one tenured professor from another university whose discipline is similar to that of the individual under review.

In the selection of members of the second tenure committee, the candidate and the chair of the department in multi-departmental divisions, or the head of the academic division, shall identify to the President the names of any individuals who are clearly unacceptable as members of the second tenure committee. The President, in consultation with the division head, shall then select the chair and the other persons for the second tenure committee and advise the appellant and the head of the academic division of the individuals selected. If either the candidate or the chair of the academic department or head of the academic division then wishes to protest the inclusion of any member on the committee, it shall be his or her responsibility to present to the President evidence of previous involvement of that individual in the decision of the original tenure committee which would justify disqualification.

The second tenure committee shall be empowered to obtain such information and to interview such persons as it may judge to be useful to its reaching a judgment of the case. The appellant and the departmental chair or head of the academic division of which the appellant is a member shall have the right to make representation to the committee (either orally or in writing as the committee may direct). Information about the appellant to be considered shall include that which relates to the performance of the individual for the period up to the time of review by the original tenure committee. No contributions to teaching and research made subsequent to the decision of the original tenure committee shall be admissible for consideration.

The quorum of the second tenure committee shall be the full membership. All members of the second tenure committee including the chair shall have a vote. A motion of the second tenure committee to recommend the granting of tenure shall require at least five votes in favour to be carried. If there are more than two negative votes or abstentions, this constitutes a decision to recommend that tenure not be granted.

Meetings of the second tenure committee shall be held in camera, and each person accepting appointment to the committee shall agree to treat as confidential all information given to the committee, and all matters pertaining to and deliberations of the committee.

The chair of the second tenure committee shall report the committee's recommendation to the President. The President will inform the candidate of the tenure decision with a statement of reasons supporting that decision.

In matters of procedure not provided for in this section, the procedures prescribed for the original tenure committee shall apply.

26. Rights of Faculty Members Granted Tenure upon Appeal

In the event that a faculty member is granted tenure by the second tenure committee, that person shall immediately be considered for any promotion and be eligible for any merit salary increases that may have been denied him or her by reason of the tenure denial. In the event of undue delay or similar circumstances, a faculty member who has been granted tenure by the second tenure committee may apply to the President of the University for reimbursement of expenses responsibly incurred in his or her tenure appeal.

V. TERMINATION OF TENURED APPOINTMENTS

27. Grounds for Termination

The appointment of a member of the teaching staff holding tenure may be terminated by the University prior to the normal age of retirement either:

- a) for cause, which means:
 - 1) persistent neglect of, or repeated refusal without sufficient cause to carry out, reasonable duties assigned by the appropriate academic authority;
 - 2) inability to carry out reasonable duties, except for reasons falling within B) below;
 - 3) failure to maintain reasonable competence in his or her discipline, including, without limitation, competence in teaching and research;
 - 4) gross misconduct; or
- b) where, without fault on his or her part, the member is prevented by a cause or matter beyond his or her control from carrying out reasonable duties, including, without limitation, physical or mental illness or injury, except where and so long as the member (or his or her legal representative) makes no claim against the University for salary or other remuneration.

28. Procedure Relating to Termination

- a) Where a division head has or is presented with reason to believe that a ground may exist for termination of the appointment of a member of the teaching staff holding tenure and either:
 - i) the ground does not constitute an offence under the University of Toronto Code of Behaviour on Academic Matters, or
 - ii) the ground may constitute such an offence but a decision is made by the appropriate person not to proceed with a charge against the member under the Rules of Procedure governing the proceedings of the University Tribunal,

the division head shall immediately notify the Vice-President and Provost and the President of the University and request the President to appoint a Hearing Committee for the purposes hereinafter set out. If the President accepts the request, he or she shall initiate the procedures outlined in the following sections.
- b) An attempt shall be made to settle the matter informally at a meeting involving the President, the Vice-President and Provost, the division head, the member of the teaching staff and a disinterested senior academic administrator or senior professor acceptable to the member and to the division head.
- c) If the attempt to settle the matter informally fails, the President shall inform the member of the teaching staff, in writing, of his or her intention to institute proceedings for termination of appointment and shall give reasonable information as to the alleged ground for termination.
- d) Within three weeks the President and the member shall jointly name a Hearing Committee of three university faculty members from this University or elsewhere. If agreement cannot be reached on the composition of the Hearing Committee within the three-week period, the most senior judge of the Supreme Court of Ontario who is willing to act and who is not a member of the Governing Council shall be asked to name the Hearing Committee.
- e) The Hearing Committee shall inform the President and the member of the time and place designated for the hearing. The hearing shall commence within three weeks of the appointment of the committee.
- f) The Hearing Committee shall proceed to determine, in accordance with the Statutory

Powers Procedure Act, 1971 whether a ground for termination of appointment exists.

- g) The President and the member shall be the parties to the proceedings.
- h) If the Hearing Committee decides that a ground for termination of appointment exists, the President may carry a recommendation for termination to the Governing Council or impose some other sanction. If the Hearing Committee decides that a ground for termination does not exist but that misconduct has taken place (whether or not the nature of which may constitute an offence under the University of Toronto Code of Behaviour on Academic Matters, as amended from time to time), it may impose one or more of the other sanctions for offences committed by members of the teaching staff set out in that Code. No further or other action shall be taken against the member.
- i) Where a member of the teaching staff declines to participate in naming a Hearing Committee it may be done jointly by the President and the President of the University of Toronto Faculty Association and in the case of disagreement as to the composition of the Committee, the procedure under Section d) applies.
- j) The decision of a Hearing Committee shall be final and not subject to appeal.

A member of the faculty who desires to terminate his or her appointment shall give reasonable notice in writing.

VI. CONTRACTUALLY LIMITED TERM APPOINTMENTS

- 29. i) Full-time appointments at the rank of Assistant Professor (Conditional), Assistant Professor, Associate Professor or Professor may also be made for contractually limited terms normally of one, two or three years' duration.
- ii) Where circumstances justify and with the approval of the Vice-President and Provost, an extension may be granted. The option to extend may be exercised only once and then not to exceed a total maximum of five years.
- iii) In those instances where the somewhat unusual circumstances of the positions warrant, an initial appointment may be made for a period of up to five years. For any initial appointment of more than three years, the approval of the Vice-President and Provost is required.
- i) In no case may the term specified together with any subsequent extension exceed five years.
- iv) Such a term appointment is for a specified period and does not involve a continuing commitment by the University beyond the term stated.
- v) Notice of termination must be given by December 31 of the final appointment year.
- vi) The procedures of Sections 1 to 7 should be followed when making term appointments except that the provision for annual appointment of Assistant Professors (Conditional) for up to six years is inapplicable. Sections 8 to 28 do not apply.
- vii) A faculty member holding a contractually-limited term appointment may apply, in competition with other qualified candidates, for an appointment which carries tenure or for an appointment leading to consideration of tenure. The time spent by the faculty member holding a contractually-limited term appointment will be taken into account in establishing the date for consideration of tenure, if the faculty member is given an appointment leading to the consideration of tenure. In such instances the faculty member and the appropriate division will agree to the manner of converting years of contractually-limited service to probationary years for tenure consideration.
- viii) Necessary statistical data will be compiled annually and the provisions of this section will be reviewed annually by the Joint Committee of the Faculty Association and the University.

- ix) A copy of this policy will be given to each appointee at the time of initial appointment.
- x) Full-time clinical staff members in the Faculty of Medicine are exempt from the provisions of this section.
- xi) Individuals supported 75% or greater from designated outside grants shall be exempt. The specific grants so designated shall be determined by the Vice-President and Provost in consultation with the division head. In no case should the term of the appointment exceed the term of the grant.

VII. TEACHING STREAM APPOINTMENTS

30.

- i) a. The ranks of Assistant Professor, Teaching Stream (Conditional); Assistant Professor, Teaching Stream; Associate Professor, Teaching Stream; and Professor, Teaching Stream are to be held by faculty members whose duties normally consist of teaching students who are in degree programs or the Transitional Year Programme, and other professional and administrative activities related to teaching. Faculty members in the Teaching Stream may have direct responsibility for the administration of one or more large undergraduate courses or for the co-ordination of undergraduate programs at both the department level and in College-based programs. The expectation of faculty members in the teaching stream is that they bring a dimension of teaching excellence and educational innovation that enhances undergraduate or graduate education and adds significantly to the quality of the student experience. Where the position requires graduate teaching, an appointment to a University graduate department will also be made. Other cross-appointments to departments on other campuses may also be made, with or without salary, where appropriate.
- b. Those current (as of 30 June 2003) UTM and UTSC Assistant Professor, Teaching Stream and above who are non-budgetary members of St. George campus departments may continue their membership in those departments, if they so choose, through non-budgetary cross-appointments. Such cross-appointments will not confer continuing status committee rights and responsibilities upon the departments to which these cross-appointments are made. The same provision holds for any current St. George Assistant Professor, Teaching Stream and above with non-budgetary cross-appointments to UTM and/or UTSC.
- ii) All teaching stream appointments require Provostial approval. The appointment procedures for members of the teaching stream should follow the policies and procedures set out in Section 5 above, except that the phrase at the end of Section 5.ii should be “scholarship as evidenced in teaching and related pedagogical/professional activities”.
- iii) To qualify for appointment to the rank of Assistant Professor, Teaching Stream, or above, the candidate should normally be required to show evidence as to the successful completion of a doctoral programme or other scholarly or creative professional work regarded by the division or department as equivalent. A candidate who does not so qualify should not be appointed to the rank of Assistant Professor, Teaching Stream or above, but should receive appointment as an Assistant Professor, Teaching Stream (Conditional).

Any member of the teaching stream enrolled in a doctoral programme at any university and appointed with the expectation that the Ph.D. degree or its equivalent will be conferred must remain at the Assistant Professor, Teaching Stream (Conditional) rank until the degree is conferred or until he or she indicates that the formal doctoral programme has been abandoned and is able to show evidence of satisfactory scholarly work. Successful completion of a doctoral programme or other scholarly or professional

work regarded by the division or department as equivalent would make the candidate eligible for an appointment at the rank of Assistant Professor, Teaching Stream. When a candidate enters the teaching stream, he or she should not serve more than four years, including a terminal year, at the Assistant Professor, Teaching Stream (Conditional) rank. Assistant Professor, Teaching Stream (Conditional) should receive annual contracts terminable on not less than six months written notice.

- iv) All appointments to the teaching stream shall receive detailed letters of appointment which set out the responsibilities of the position and specifies whether the appointment is in the continuing status stream or is a Contractually Limited Term Appointment under section 30 (xviii) below.
- v) Initial appointments should be at the rank of Assistant Professor, Teaching Stream except, in special circumstances, with the permission of the Vice-President and Provost on recommendation of the chair of the department or the head of the division concerned.
- vi) Performance will be assessed on teaching effectiveness and pedagogical/professional development related to teaching duties, in accordance with approved divisional guidelines on the assessment of teaching. Administrative service will be considered, where such service is related to teaching duties or to curricular and professional development.

Probationary Review

- vii) On initial appointment to a position in the continuing status stream, an Assistant Professor, Teaching Stream should receive a four year contract and it should be clearly understood that the University is under no obligation to renew the contract when it expires, unless the candidate has a successful interim review.

The performance of an Assistant Professor, Teaching Stream should be reviewed no earlier than May 1 of the third year of the contract, by a committee appointed by the division head or, in the multi-departmental divisions, by the department chair. Those raised from Assistant Professor, Teaching Stream (Conditional) rank to Assistant Professor, Teaching Stream after the beginning of the regular appointment year, and who are in the continuing status stream, shall be deemed to have received a four-year contract from the following July 1.

The review of such an initial appointment should be essentially different in purpose and procedures from a continuing status review. The committee should consider two questions:

- a) Has the appointee's performance been sufficiently satisfactory for a second probationary appointment to be recommended?
- b) If reappointment is recommended, what counselling should be given to the appointee to assist him or her to improve areas of weakness and maintain areas of strength?

The procedures of the review committee should be made known to the appointee, but they cannot be rigidly defined for the University as a whole. Rather, the procedures should be flexibly designed by each division or department with the aim of eliciting and considering all possible relevant information and should include a classroom visit or other teaching observation. Course evaluation should be considered and also signed opinions of individual students if these are available. Written comments from other department members, formally or informally acquainted with the appointee's teaching or pedagogical/professional activity, should be solicited. Normally no later than the May 1, the appointee should be asked to submit their teaching dossier and an account of pedagogical/ professional activity which has been completed or undertaken since the time of initial appointment; however, lack of substantial achievement in this area since appointment should not, in itself, be cause for non-renewal of contract. The appointee will not normally be required to complete the submission prior to June 30. Notice that the contract will or will not be renewed on the following July 1 must be given in writing no later than December 31. If requested, a written statement of reasons for a decision to recommend that a contract not be renewed shall be supplied, within one week of such a request, by the chair of the review committee.

- viii) A decision not to renew a contract may be appealed by a member of the continuing status stream holding an initial appointment as Assistant Professor, Teaching Stream only on one or more of the following grounds:
- a) A significant irregularity in the procedure followed by the review committee;
 - b) An unreasonable inconsistency in the application of the current standards of the division or department; or
 - c) Improper bias or motive on the part of a member of the review committee.

In the multi-departmental divisions, the appeal will be considered by the principal or dean. In other divisions, the appeal will be considered by a principal or dean designated for this purpose by the Vice-President and Provost. Where the appellant is cross-appointed, the person to hear the appeal will be determined according to the division in which the appellant holds his or her primary appointment. In a case where the person who would otherwise hear the appeal was a member of the review committee, the Provost should designate another principal or dean (not a member of that committee) to hear the appeal. Appeals must be made in writing within fifteen (15) working days of written notice of non-renewal and the appellant informed of the decision within twenty (2) working days of the appeal. A person appealing a non-renewal of contract shall have a right to a summary of any written evidence which must be described in enough detail to enable him or her to make a particular response to all the significant components, and to appear and present arguments on any of the three grounds listed above. The decision of the principal or dean may be appealed to the Vice-President and Provost within ten days. The Vice-President and Provost's decision will be final, and cannot be grieved.

If an Assistant Professor, Teaching Stream is granted a renewal of his or her contract, that renewal should be for a period of two years, and he or she must be considered for continuing status in the terminal year of this contract. Upon reappointment, the faculty member will be offered an academic term to focus on preparing for continuing status review and to address any advice from the interim review. Normally this term will not include assigned teaching above ½ of the normal teaching assignments or service, but with the candidate's agreement the term may include more than ½ of the normal teaching assignments or some assigned service, in order to reflect feedback from the interim review.

- ix) Candidates may make a written request for a delay in the probationary review or consideration for continuing status based on pregnancy and/or parental or adoption leave or serious personal circumstances beyond their control such as illness or injury. Delays may be granted for one year but no more than 2 years with the approval in writing of the Vice-President and Provost. Written requests by a candidate for further delays based on the provisions of *Ontario Human Rights Code* as amended from time to time (the "Code") will be considered by the Vice-President and Provost on a case-by-case basis, it being understood and agreed that such requests must be made by the candidate in writing at the earliest opportunity in a probationary review or consideration for continuing status process (i.e. as soon as a candidate knows or reasonable ought to know that their interim review or consideration for continuing status may warrant a delay based on the provisions of the Code.)

Continuing Status Review

- x) A positive recommendation for continuing status will require the judgment of excellence in teaching and evidence of demonstrated and continuing future pedagogical/professional development.
 - a) Excellence in teaching may be demonstrated through a combination of excellent teaching skills, creative educational leadership and/or achievement, and innovative teaching initiatives in accordance with appropriate divisional guidelines.
 - b) Evidence of demonstrated and continuing future pedagogical/professional

development may be demonstrated in a variety of ways e.g. discipline-based scholarship in relation to, or relevant to, the field in which the faculty member teaches; participation at, and contributions to, academic conferences where sessions on pedagogical research and technique are prominent; teaching-related activity by the faculty member outside of his or her classroom functions and responsibilities; professional work that allows the faculty member to maintain a mastery of his or her subject area in accordance with appropriate divisional guidelines.

The candidate's performance will be assessed by a continuing status committee of faculty members struck for this purpose by the chair or division head; the committee will contain at least one teaching stream member with continuing status from the department or a cognate area, the chair or representative of any academic unit (including graduate department), as appropriate, to which the candidate is cross-appointed, and a decanal representative or (in the case of a single- departmental faculty) a provostial representative. The chair shall formally notify the candidate as to the individuals whom he or she intends to ask to serve on the continuing status committee. If the candidate has reason to believe that any member of the committee cannot make his or her decision solely on the basis of the evidence available at the time of the continuing status committee meeting, he or she should indicate this to the division head or the appropriate Vice-Provost. The division head or chair shall then formally notify the candidate of the final composition of the continuing status committee and when the process of review, including assembling of documentation, is about to begin and when it will be completed.

The candidate, with appropriate assistance and advice from the division or department head, will prepare a dossier in accordance with Divisional Guidelines for submission to the continuing status committee by June 30th.

Written specialist assessments of the candidate's teaching and pedagogical/professional activities should also be obtained from outside the University; the candidate should be invited to nominate several external referees, and the division head or chair should solicit letters of reference from at least one of them and from one or more additional specialists chosen by himself or herself. These referees should be invited to assess the candidate's work against the Divisional Guidelines for the granting of continuing status and advise whether or not the candidate's work demonstrates the achievement of excellence in teaching and evidence of demonstrated and continuing future pedagogical/professional development.

The division head or chair shall prepare and provide a written summary of the content of the external assessments and other evaluations, without identifying their source, to the candidate at the time of submission of the dossier to the continuing status committee normally at least one week prior to the first meeting of the committee. It is important that the summary be sufficiently detailed that the candidate knows the evidence before the committee and could, if desired, supplement the dossier with a written response, or by appearing before the committee to make a statement. The summary should include extracts of any significant information from all letters and reports while maintaining confidentiality.

Reasons for a proposed negative recommendation shall be given to the candidate who shall have an opportunity to respond to them, either orally or in writing, within fifteen days of notification. Thereafter, the committee shall make its final decision on the recommendation for communication by the Chair to the head of the division or the Vice-Provost in the case of a single department division and shall prepare and adopt a statement of the reasons for the decision, and, in the case of a negative decision, a summary of the evidence. The summary of the evidence should be prepared in sufficient detail to enable the candidate to make a particular response to all of the significant components if he or she appeals under section **xi** below.

Recommendation for continuing status must be made by the chair to the dean in a multi-departmental division and requires the approval of the Vice-President and Provost.

The continuing status review should be completed and the candidate notified by December 31st.

An unsuccessful candidate will be provided with employment to December 31 of the following year for a total of twelve (12) months terminal contract employment in connection with the termination of contract and employment effective the following December 31.

- xi) A negative recommendation may be appealed following the Grievance Procedure set out in Article 7 of the Memorandum of Agreement, commencing at Step 3.
- xii) A continuing appointment provides a safeguard for free enquiry and discussion, the exercise of critical capacities, honest judgment, and independent criticism of matters both outside and within the University. It entails acceptance by a member of the University of the obligation to perform his or her functions as a member of the faculty. The performance of a teaching stream member with continuing status shall be reviewed annually in accordance with normal divisional practice for all faculty.

Teaching Stream Contractually Limited Term Appointments

- xiii) Full-time appointments at the rank of Assistant Professor, Teaching Stream, Associate Professor, Teaching Stream or Professor, Teaching Stream may also be made for contractually-limited terms normally of one, two or three years' duration.
- xiv) Where circumstances justify and with the approval of the Vice-President and Provost, an extension may be granted. The option to extend may be exercised only once and then not to exceed a total maximum of five years.
- xv) Individuals holding a CLTA teaching stream appointment may apply, in competition with other qualified candidates, for an appointment which carries continuing status or for an appointment leading to consideration of continuing status.
- xvi) Individuals supported 75% or greater from designated outside grants shall be exempt. The specific grants so designated shall be determined by the Vice-President and Provost in consultation with the division head. In no case should the term of the appointment exceed the term of the grant.
- xvii) In no case may the term specified together with any subsequent extension exceed five years.
- xviii) Such a term appointment is for a specified period and does not involve a continuing commitment by the University beyond the term stated.
- xix) Notice of termination must be given by December 31 of the final appointment year.

Termination

- xx) At any time, the appointment of a teaching stream faculty member may be terminated for cause, including incompetence, persistent neglect of duty or gross misconduct. Such termination shall be made only on the recommendation of a committee of inquiry appointed by the appropriate academic administrator.
- xxi) A decision to terminate a contract may be appealed only if it is for cause. Appeals shall follow the Grievance Procedure set out in Article 7 of the Memorandum of Agreement, commencing at Step 3. Appeals must be made in writing by the teaching stream faculty member within fifteen working days of receipt of a written statement of reasons for termination.
- xxii) The appointment of a teaching stream faculty member may be terminated without fault or cause by reason of curricular change as determined in a multi-year academic plan approved by the Vice- President and Provost, where such change removes an area or field of teaching.

- xxiii) Termination under xxii) will take place only if the Vice-President and Provost determines that the University cannot offer equivalent alternative employment for the teaching stream faculty member. In making a determination about alternative employment, the Provost will chair a committee of three faculty members, including the Provost, with the other members chosen in consultation with the Faculty Association. Termination under xxii) requires due notice or pay in lieu and severance payment upon a schedule agreed upon from time to time.

**31. Athletics Instructor and Senior Athletics Instructor
(This section applies only to Athletics Instructors and Senior Athletics Instructors who commenced employment prior to June 26, 2015)**

- i) The ranks of Athletics Instructor and Senior Athletics Instructor are to be held by faculty members whose primary duties consist of teaching in co-curricular instructional programs in athletics, and/or coaching in intramural or inter-university athletics. Teaching in degree programs may be offered to qualified individuals, but such teaching will form a minority percentage of duties.
- ii) Appointment procedures for these ranks should follow the University's general principles for open and advertised searches as set out in Section 5 above, with a search committee advisory to the Dean of the Faculty of Physical Education and Health.
- iii) Initial appointments should be at the rank of Athletics Instructor except in special circumstances, with the permission of the Vice-President and Provost on the recommendation of the Dean.
- iv) Appointments at the rank of Athletics Instructor are annual. Notice of non-renewal must be given at least six months before the end of the contract.
- v) No later than October of the fifth year (or earlier at the request of the Athletics Instructor and with the permission of the Vice-President and Provost), an Athletics Instructor's performance shall be reviewed and a recommendation made with respect to promotion to Senior Athletics Instructor as of the following July. A negative recommendation will result in no further contracts beyond the then current contract.
- vi) Performance will be assessed on effectiveness in instruction and/or coaching. A positive recommendation for promotion will require the judgement of excellence in performance and evidence of continued professional development. A negative recommendation regarding promotion to Senior Athletics Instructor may be appealed following the Grievance Procedure set out in Article 7 of the Memorandum of Agreement, commencing at Step 3.
- vii) Senior Athletics Instructors hold continuing appointments in the University. Their performance will be reviewed annually in accordance with normal divisional practice for all faculty.
- viii)
 - a) At any time, the appointment of an Athletics Instructor or Senior Athletics Instructor may be terminated for cause, including incompetence, persistent neglect of duty or gross misconduct. Such termination shall be made only on the recommendation of a committee of inquiry appointed by the appropriate academic administrator.
 - b) The appointment of a Senior Athletics Instructor may be terminated without fault or cause by reason of curricular or program change, in a multi-year plan recommended by the Dean and approved by the Provost. Such termination requires due notice or pay in lieu and severance payment upon a schedule agreed upon from time to time.
- ix) Appeals of a negative promotion recommendation or dismissal for cause shall follow the Grievance Procedure set out in Article 7 of the Memorandum of Agreement, commencing at Step 3. Appeals must be made in writing by the Athletics Instructor or Senior Athletics Instructor within fifteen working days of receipt of a written denial of promotion or a

written statement of reasons for termination.

- x) Notwithstanding Article 4, Sections a. through c., of the Memorandum of Agreement, after six continuous years of full-time service at any academic staff rank, Senior Athletics Instructors are eligible to apply for paid release time of up to six months at 100% salary and benefits, where the applicant wishes to engage in professional development related to duties normally undertaken. Approval should not be unreasonably denied, although the timing of leaves may be adjusted at the Dean's discretion, taking into account program needs.

VIII. Reduction of Full-time Equivalent to Part-time FTE

32. Tenured Faculty

A part-time appointment is one that does not exceed 75 percent of full-time employment.

Individuals holding a tenured full-time appointment may, with the agreement of the unit head and the appropriate division head, and with the approval of the Vice-President & Provost, reduce their appointment to part-time. Requests for such a reduction in percentage of appointment shall not be unreasonably denied by the University.

Appointments shall not normally be reduced to less than 20% FTE. Reductions in percentage of appointment shall not normally exceed three (3) consecutive years, unless the basis for the reduction is an accommodation under the Ontario Human Rights Code.

Unless the basis for a reduction in percentage of appointment is an accommodation under the Ontario Human Rights Code, a reduction in percentage of appointment shall not exceed three (3) consecutive years, and the faculty member must return to a full-time appointment at the expiry of the term of reduction in percentage appointment unless the reduction is extended in writing with the agreement of the faculty member, and the agreement of the unit head and the appropriate division head, and with the approval of the Vice-President & Provost.

33. Continuing Status Teaching Stream Faculty

A part-time appointment is one that does not exceed 75 percent of full-time employment.

Individuals holding a continuing status teaching stream appointment may, with the agreement of the unit head and the appropriate division head, and with the approval of the Vice-President & Provost, reduce their appointment to part-time. Requests for such a reduction in percentage of appointment shall not be unreasonably denied by the University.

Appointments shall not normally be reduced to less than 20% FTE. Reductions in percentage of appointment shall not normally exceed three (3) consecutive years, unless the basis for the reduction is an accommodation under the Ontario Human Rights Code.

Unless the basis for a reduction in percentage of appointment is an accommodation under the Ontario Human Rights Code, a reduction in percentage of appointment shall not exceed three (3) consecutive years, and the faculty member must return to a full-time appointment at the expiry of the term of reduction in percentage appointment unless the reduction is extended in writing with the agreement of the faculty member, and the agreement of the unit head and the appropriate division head, and with the approval of the Vice-President & Provost.

IX. OTHER CATEGORIES OF APPOINTMENT

34. University Professors

- i) Senior scholars of the University may be appointed to the rank of University Professor in recognition of unusual scholarly achievement and preeminence in a particular field of knowledge. The number of such appointments should be approximately 15 but should not in any case exceed 2% of the tenured faculty. This number would not include persons

holding Emeritus appointments. A University Professor would, upon reaching age 65, retain the title of University Professor Emeritus or Emerita.

- ii) A selection committee appointed by the President shall be composed of six senior members of the teaching staff and two senior members of the teaching staff from other universities. The Vice-President and Provost shall chair the selection committee. The selection committee's membership shall be reported for information to the Academic Board. The nomination of individuals to be considered University Professors should be an open one.
- iii) The selection committee shall recommend, by consensus, the nominees to the President. The Provost, on behalf of the President, shall recommend appointments as University Professors to the Academic Board in closed session. Such recommendations shall be accompanied by written statement outlining the accomplishments of each nominee.

Part VIII, Sections 32 and 33 added as a result of facilitated negotiations with UTFA approved by Governing Council, October 29, 2020

RELATED DOCUMENTS

[University of Toronto Act, 1971](#)

[Ontario Human Rights Code](#)

END OF POLICY AND PROCEDURES ON ACADEMIC APPOINTMENTS



UNIVERSITY OF TORONTO

University of Toronto
Governing Council

Policy and Procedures Governing Promotions in the Teaching Stream

~~December 16, 2016~~ Effective
January 1, 2021

To request an official copy of this policy, contact:

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Policy and Procedures Governing Promotions in the Teaching Stream

Introduction

1. The University policy with respect to academic promotions in the teaching stream is set out in the following paragraphs as approved by the Governing Council on December 15, 2016.
2. The awarding by the University of a given rank confers a status which, in a general way, is acknowledged and respected both inside and outside the academic community. There is a need to protect the qualifications for the rank in order that the status not be regarded as empty, once attained. These considerations require that the diversity of promotion practices among the various disciplines across the University be kept within reasonable limits. However, it is not necessary that all disciplines be forced into an absolute lockstep in their promotion policies. The policy herein allows for some degree of leeway in determining the point in a career when promotion is appropriate to permit flexibility in responding to competitive pressures for outstanding teaching stream faculty members. It includes sufficiently broad criteria to allow a discipline to bring into play, in the assessment of its teaching stream faculty, attributes which it considers particularly relevant for performance of its own academic role.
3. In general terms the goal is to ensure, as far as is possible in a diverse community, that persons of a given rank may fairly be taken to possess certain attributes in common although not necessarily always in the same proportions. In what follows these attributes, and how the promotion process can be structured to safeguard the interests of both the individual teaching stream faculty member and the University community, are discussed.
4. Individual promotion decisions should not be influenced by preconceptions about a desirable pattern of rank distribution. A discipline should not be alarmed at there being an unprecedented proportion of senior ranks among its faculty. This is exactly what a discipline blessed with a strong faculty should be experiencing, and any tendency to protect some historical distribution pattern should be resisted. Promotion to Professor is not automatic, but it is expected that the majority of ~~full-time~~ teaching stream faculty at this University will attain this rank.
5. This policy applies to full-time continuing status teaching stream faculty members as of January 1, 2016, including those who opted to convert to Assistant Professor, Teaching Stream or Associate Professor, Teaching Stream following amendments to the *Policy and Procedures on Academic Appointments* June 2015. This policy also applies to part-time teaching stream faculty members as of January 1, 2021. For greater clarity, this policy does not apply to the following categories: contractually-limited term appointments, Athletic Instructors, Senior Athletic Instructors, those holding the rank of Lecturer or Senior Lecturer, and those holding rank of Tutor or Senior Tutor.

Criteria for Promotion and Their Assessment

Professor, Teaching Stream

6. Promotion to Professor, Teaching Stream will be granted on the basis of excellent teaching, educational leadership and/or achievement, and ongoing pedagogical/professional development, sustained over many years, outlined more fully below in paragraphs 8, 9, and 10 and recommendation on their assessment are set forth in paragraph 11. Administrative or other service to the University and related activities will be taken into account in assessing candidates for promotion, but given less weight than the main criteria: promotion will not be based primarily on such service. The criteria and procedures for promotion through the ranks for part-time teaching stream faculty shall be the same as for full-time faculty members with an appropriately reduced expectation as to the quantity of work.

Associate Professor, Teaching Stream

6.7. The same criteria apply to the promotion from Assistant Professor, Teaching Stream to Associate Professor, Teaching Stream, with a lesser level of accomplishment to be expected. Because the criteria for the granting of continuing status and the promotion to Associate Professor, Teaching Stream are so similar, and because the two decisions are usually made so closely in time, the granting of continuing status should be accompanied by promotion to Associate Professor, Teaching Stream. The only exception to this policy is promotion to Associate Professor, Teaching Stream prior to the continuing status review. Proposals for promotion to Associate Professor, Teaching Stream prior to the continuing status review should be approved only in exceptional circumstances and must be justified in writing to the Dean of the Faculty in multi-departmental divisions and in all cases to the Vice-President and Provost. For promotion to Associate Professor, Teaching Stream not linked with a continuing status review (i.e., early promotions), the procedures followed should be those outlined below for promotion to Professor, Teaching Stream in order to ensure an equivalent level of assessment of a candidate's abilities. The criteria and procedures for promotion through the ranks for part-time teaching stream faculty shall be the same as for full-time faculty members with an appropriately reduced expectation as to the quantity of work.

Attributes of Excellent Teaching

7.8. Excellent teaching may be demonstrated through a combination of excellent teaching skills, creative educational leadership and/or achievement, and innovative teaching initiatives, all in accordance with appropriate divisional guidelines.

Teaching includes lecturing, activity in seminars and tutorials, individual and group discussion, laboratory teaching, thesis and/or research supervision, and any other means by which students derive educational benefit.

Teaching effectiveness is demonstrated by the degree to which the candidate for promotion is able to stimulate and challenge the intellectual ability of students, to communicate academic material including professional knowledge effectively, and to maintain a mastery of his or her subject areas. It also involves maintaining accessibility to students, and the ability to influence the intellectual and scholarly development of students.

Attributes of Educational Leadership and/or Achievement and Ongoing Pedagogical/Professional Development

8.9. Sustained over many years, educational leadership and/or achievement is often reflected in teaching-related activities that show significant impact in a variety of ways, for example: through enhanced student learning; through creation and/or development of models of effective teaching; through engagement in the scholarly conversation via pedagogical scholarship, or creative professional activity; through significant changes in policy related to teaching as a profession; through technological or other advances in the delivery of education in a discipline or profession.

9.10. Evidence of continuing future pedagogical/professional development may be demonstrated in a variety of ways e.g., discipline-based scholarship in relation to, or relevant to, the field in which the faculty member teaches, participation at, and contributions to, academic conferences where sessions on pedagogical research and technique are prominent, teaching-related activity by the faculty member outside of his or her classroom functions and responsibilities, and professional work that allows the faculty member to maintain a mastery of his or her subject area in accordance with appropriate divisional guidelines.

Candidates will be assessed on educational leadership and/or achievement and ongoing pedagogical/professional development in accordance with section 9 and 10 and divisional guidelines.

Assessment of the Promotion Criteria

~~10.11.~~ Confidential written assessments of the candidate's teaching, educational leadership and/or achievement, and ongoing pedagogical/professional development, should be obtained from specialists in the candidate's field from outside the University and whenever possible from inside the University. When a teaching stream faculty member is or recently has been cross- appointed

to another division, assessments should be sought from the other division. The candidate will be invited to nominate several external referees. The Dean or Chair and the Promotions Committee (see paragraph 20) will whenever possible add to the list of referees. The Dean or Chair will solicit letters from at least three external referees and where possible these should include at least one referee suggested by the candidate and one referee suggested by the Promotions Committee. Where the Chair solicits the letters, the referee should send a copy of the response to the Dean. These referees should be invited to assess the candidate's work against the Divisional Guidelines and advise whether or not the candidate's work demonstrates the achievement of excellent teaching, educational leadership and/or achievement, and ongoing pedagogical/professional development, sustained over many years. All referees' letters will be transmitted to the Promotions Committee and held in confidence by its members.

Written assessments of the candidate's teaching effectiveness will be prepared, in accordance with guidelines approved for the relevant department or division, and presented to the Promotions Committee. These guidelines specify the manner in which the division will provide the committee with evidence from the individual's peers and from students, and will offer the candidate the opportunity to supplement his or her file. Changes to divisional guidelines must be approved by the Vice-President and Provost and reviewed by Academic Board.

Attributes of Service

- 12a. *Service to the University and Similar Activities.* Service to the University means primarily administrative or committee work within the University. Consideration will also be given to activities outside the University which further the scholarly and educational goals of the University. Such activities might include service to professional societies directly related to the candidate's discipline, continuing-education activities, work with professional, technical or scholarly organizations or scholarly publications, and membership on or service to governmental committees and commissions. Outside activities are not meant to include general service to the community unrelated to the candidate's scholarly or teaching activities however praiseworthy such service may be.

Assessment of Service

- 12b. When appropriate, written assessments of the candidate's service to the University and to learned societies or professional associations which relate to the candidate's academic discipline and scholarly or professional activities will be prepared and presented to the Promotions Committee. When a candidate for promotion is or has been cross-appointed, assessments will be sought from all of the divisions in which the candidate has served and should be taken fully into account by the Promotions Committee.

Documentation

13. The fullest possible documentation should be made available to the Promotions Committee for each candidate to be given detailed consideration (see paragraphs 18 and 19). The responsibility for assembling the documents will be taken by the Chair of the department in multi-department divisions, otherwise by the Dean of the Faculty. The candidate, with appropriate assistance from the division or department head, will prepare a dossier in accordance with Divisional Guidelines and this Policy for submission to the Promotions Committee.

The dossier should include a statement of teaching interests and teaching philosophy, and teaching awards received, if any. The dossier should also include a list of all courses taught by the candidate during at least the preceding five years and a description of teaching methods and samples of course outlines, where appropriate. If the candidate has had major responsibility for the design of a course, this should be stated. A list of students whose research work has been supervised should be included, together with their thesis topics and the dates of the period of supervision.

Documentation may include, but is not limited to, publications in a variety of media including but not limited to, scholarly and professional journals, non-peer-reviewed or lay publications, books, CDs, online publications, invited lectures and presentations given at conferences, design of and contribution to academic websites, examples of professional work, and any other evidence of professional development.

Curriculum Vitae

14. The preparation of a curriculum vitae will be the responsibility of the candidate. The curriculum vitae should include:
- (a) The academic history of the candidate giving a list of all teaching appointments held, other relevant experience and achievements, and a list of all research or other contracts and grants obtained during the preceding five years, at minimum. Part-time teaching stream faculty members should include their percentage appointment during at least the preceding five years.
 - (b) a list of the candidate's scholarly and/or creative professional work. This should include books, chapters in books, research papers, articles, and reviews, including work published, in press, submitted for publication, completed but not yet published, and in progress. It should also include such scholarly or creative professional work as the presentation of papers at meetings and symposia, original architectural, artistic or engineering design, or distinguished contributions to the arts or in professional areas.
 - (c) A list of creative professional activities including one or more of the following: professional innovation; creative excellence; exemplary professional practice; contributions to the development of the profession/discipline.
 - (d) A list of all courses taught by the candidate during at least the preceding five years. If the candidate has had major responsibility for the design of a course, this should be stated. A list of students whose research work has been supervised should be included, together with their project or thesis topics and the dates of the period of supervision.
 - (e) A list of administrative positions held within the University, major committees and organizations in which the candidate has served within or outside the University, and participation in learned societies and professional associations which relate to the candidate's academic discipline and pedagogical or professional activities or educational leadership. The list should indicate in each case the period of service and the nature of the candidate's participation.

Procedural Matters

Responsibility for Recommendations

15. Initiation of the promotional review of a teaching stream faculty member will be the responsibility of the division in which the individual holds his or her primary appointment. Chairs and Deans must ensure that Promotions Committees are established and consulted as described below. Paragraphs 16 through 22 below are written for Chairs in the multi-departmental faculties. In divisions without a departmental structure the Dean will have the responsibilities described. In these instances, Faculty should be read for Department and Vice-President and Provost should be read for Dean.

Curriculum Vitae on File

16. Each Department will maintain a curriculum vitae file for each teaching stream faculty member who has continuing status or is in the continuing status stream. Chairs should remind faculty members to revise their curricula vitae annually. It is thus a joint responsibility of the Chair and the teaching stream faculty member to ensure that this file is kept current. A teaching stream faculty member may revise his or her curriculum vitae at any time.

Promotions Committee

17. There will normally be a single departmental Promotions Committee to review candidates for promotion in the teaching stream and in the tenure stream. However, the membership of the Promotions Committee considering a teaching stream candidate will consist of at least five tenured or continuing status faculty at the rank of Professor, and/or Professor, Teaching Stream, with at least one faculty member at the rank of Professor, Teaching Stream. ¹ Normally the Chair of the Promotions Committee will be the Chair of the department or his or her designate. A committee member who is being considered for promotion will withdraw from that part of any meeting in which he or she is being discussed. The membership of the Promotions Committee will be made known to the teaching stream faculty members of the Department and where possible should change in membership over the years. The deliberations of the Committee, and the appraisals presented to it, will remain confidential. In non-departmental divisions the Promotions Committee will be augmented by the appointment of a non-voting assessor appointed by the Vice-President and Provost. In multi-departmental divisions this assessor will be added to the Decanal Committee referred to in paragraphs 23 and 24 below. In Tri-campus departments, the Chair of the Promotions Committee may be the Graduate Chair.

A clear written record shall be kept by all promotions committees of the basis for each recommendation.

Annual Consideration

18. Each year the Department Chair will place before the Promotions Committee for preliminary consideration the names of all part-time Assistant Professors, Teaching Stream with continuing appointments and all Associate Professors, Teaching Stream in the Department, together with their curricula vitae. The Committee will advise the Chair as to which faculty members should receive more detailed consideration for promotion.

Requests for Consideration

19. Associate Professors, Teaching Stream may request that they be considered for promotion in any given year. Such requests are to be made in writing to the Chair of the department on or before October 15 of the calendar year preceding the possible promotion. In this case, the Promotions Committee is obliged to give the faculty member detailed consideration along with any other candidates under consideration.

Assembling of Information

20. When a candidate is to receive detailed consideration for promotion, it is the responsibility of the Chair in multi-departmental faculties to provide the Dean of the Faculty with a list of external referees. The Dean or Chair will then solicit the appraisals. Where the Chair solicits the appraisals the referee should send a copy of the response to the Dean. It is also the responsibility of the Chair to assemble information as described in paragraph 11. When a candidate is cross-appointed to another division of the University, the Chair of the home division will solicit the list of external referees from the Chair of the other division to which the candidate is appointed.

Submission of Recommendation

21. The Departmental Promotions Committee will recommend candidates for promotion to the Chair of the Department, who is responsible for making recommendations with respect to promotions to the Dean of the Faculty. Along with the names of those recommended for promotion, the Chair will forward the files on which the Departmental decision was based. If the Chair of the Department does not follow the recommendations of the Promotions Committee in submitting his

¹ Until a sufficient number of teaching stream faculty members have attained this rank, this requirement shall

be waived and the full committee shall be constituted by five (5) tenured faculty at the rank of Professor.

or her recommendations to the Dean, the Chair must report the reasons in writing to the members of the Promotions Committee and to the Dean. A substantial disagreement within the Promotions Committee concerning the recommendation forwarded from the Committee will also be reported to the Dean. The submissions must be made at least five months before promotion is intended to take place. The Dean will then forward the divisional recommendations to the Vice-President and Provost as described in paragraph 24 below.

Informing Candidates

22. Each candidate who was given detailed consideration by the Departmental Promotions Committee will be informed by the Chair of the Department of the recommendation in his or her case. Candidates who received detailed consideration and who were not recommended for promotion will be given the reasons. If the Chair did not accept a positive recommendation from the Promotions Committee, the candidate shall be informed of this fact.

Decanal Committee

23. Paragraphs 23 and 24 apply only to multi-departmental faculties. The Dean of such a faculty, in consultation with Chair, will establish annually a Decanal Promotions Committee to consider recommendations for promotion under this Policy and the Policy and Procedures Governing Promotions. The membership of the Decanal Promotions committee will be made known to the academic staff of the Faculty. The Decanal Promotions Committee may obtain additional information about or appraisals of the candidates as it deems necessary. The deliberations of the Committee and the appraisals will remain confidential except among the Vice-President and Provost, the Dean and the Chair of the candidate's Department. The Decanal Promotions Committee is advisory to the Dean. Where a candidate for promotion has his or her primary academic appointment in a Tri-campus department, the Chair of the Decanal Promotions Committee may be the Dean of the School of Graduate Studies.

Decanal Recommendations

24. The Dean will inform the Chair of the Departments of the names of those to be recommended for promotion. Department Chairs have the right to appear before a subsequent meeting of the Decanal Committee to support the case of any candidate they have recommended but who has not been included in the Dean's recommendations. The Dean will submit to the Vice-President and Provost the names of all those he or she is finally recommending for promotion and will inform his or her Promotions Committee and the Departmental Chair of these recommendations. The Chair will inform the candidates who were considered by the Decanal Promotions Committee of the Dean's recommendations. The Chair will be given the reasons for decanal decisions not to recommend promotions which were recommended by the Chair and the Chair in turn will inform the candidate of the reasons. The Dean's recommendations for promotions must be forwarded to the Vice-President and Provost at least three months before promotions are to take place. The Dean will make available to the Vice-President and Provost upon request any information used in reaching the decisions to recommend at the departmental and faculty levels.

Provost's Review

25. The Vice-President and Provost, advised by the Decanal Promotions Committee assessors, will examine all recommendations to ensure that a reasonable and equitable standard for promotion is applied across the University, taking into account the differing patterns of activity which characterize each division. The extent of the review at the Provostial level may vary and may be more extensive for candidates who have not already been considered by both Departmental and Decanal Committees. If the Vice-President and Provost does not approve a recommendation for a promotion, the reasons shall be given to the Dean who in turn will inform the Chair of the Department and the candidate. Recommendations approved by the Vice-President and Provost will be reported to Academic Board for information. The promotion will take effect July 1 following

the approval unless otherwise specified by the Vice-President and Provost and the new rank will apply to all academic appointments held by the individual in the University.

Appeal Procedures

Grounds for Appeal

26. Appeals against the denial of promotion may be launched on either or both of two grounds:
- (a) that the procedures described in this document have not been properly followed, or
 - (b) that the candidate's accomplishments in excellent teaching, educational leadership and/or achievement, and ongoing pedagogical/professional development have not been evaluated fully or fairly.

Appeal for Reconsideration

27. Appeals against the denial of promotion will follow the Grievance Procedure set forth in the Memorandum of Agreement between the Governing Council of the University of Toronto and The University of Toronto Faculty Association as amended from time to time, except as follows: at Step No. 2 and Step No. 3, the Dean and the Vice-President and Provost respectively will have thirty (30) working-days to notify the grievor in writing of the decision; if a grievance which involves promotion contains issues other than promotion, these other issues will also be subject to the time limit of 30 working-days at both the decanal and Provostial levels. Appeals against the denial of promotion at the departmental level will commence at Step No. 1 of the Grievance Procedure; those against denial at the faculty level at Step No.2; and those against denial at the Provostial level at Step No. 3.

*Approved by the Governing Council on December 15, 2016.
Effective on December 16, 2016.*

Section 5 was amended to include part-time teaching stream faculty following facilitated negotiations with UTFA as approved by Governing Council October 29, 2020.

RELATED DOCUMENTS (Added for reference by the Secretariat, March 6, 2020)

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[Policy and Procedures on Academic Appointments](#)



UNIVERSITY OF TORONTO

University of Toronto
Governing Council

Policy and Procedures Governing Promotions in the Teaching Stream

Effective January 1, 2021

To request an official copy of this policy, contact:

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Policy and Procedures Governing Promotions in the Teaching Stream

Introduction

1. The University policy with respect to academic promotions in the teaching stream is set out in the following paragraphs as approved by the Governing Council on December 15, 2016.
2. The awarding by the University of a given rank confers a status which, in a general way, is acknowledged and respected both inside and outside the academic community. There is a need to protect the qualifications for the rank in order that the status not be regarded as empty, once attained. These considerations require that the diversity of promotion practices among the various disciplines across the University be kept within reasonable limits. However, it is not necessary that all disciplines be forced into an absolute lockstep in their promotion policies. The policy herein allows for some degree of leeway in determining the point in a career when promotion is appropriate to permit flexibility in responding to competitive pressures for outstanding teaching stream faculty members. It includes sufficiently broad criteria to allow a discipline to bring into play, in the assessment of its teaching stream faculty, attributes which it considers particularly relevant for performance of its own academic role.
3. In general terms the goal is to ensure, as far as is possible in a diverse community, that persons of a given rank may fairly be taken to possess certain attributes in common although not necessarily always in the same proportions. In what follows these attributes, and how the promotion process can be structured to safeguard the interests of both the individual teaching stream faculty member and the University community, are discussed.
4. Individual promotion decisions should not be influenced by preconceptions about a desirable pattern of rank distribution. A discipline should not be alarmed at there being an unprecedented proportion of senior ranks among its faculty. This is exactly what a discipline blessed with a strong faculty should be experiencing, and any tendency to protect some historical distribution pattern should be resisted. Promotion to Professor is not automatic, but it is expected that the majority of teaching stream faculty at this University will attain this rank.
5. This policy applies to full-time continuing status teaching stream faculty members as of January 1, 2016, including those who opted to convert to Assistant Professor, Teaching Stream or Associate Professor, Teaching Stream following amendments to the *Policy and Procedures on Academic Appointments* June 2015. This policy also applies to part-time teaching stream faculty members as of January 1, 2021. For greater clarity, this policy does not apply to the following categories: contractually-limited term appointments, Athletic Instructors, Senior Athletic Instructors, those holding the rank of Lecturer or Senior Lecturer, and those holding rank of Tutor or Senior Tutor.

Criteria for Promotion and Their Assessment

Professor, Teaching Stream

6. Promotion to Professor, Teaching Stream will be granted on the basis of excellent teaching, educational leadership and/or achievement, and ongoing pedagogical/professional development, sustained over many years, outlined more fully below in paragraphs 8, 9, and 10 and recommendation on their assessment are set forth in paragraph 11. Administrative or other service to the University and related activities will be taken into account in assessing candidates for promotion, but given less weight than the main criteria: promotion will not be based primarily on such service. The criteria and procedures for promotion through the ranks for part-time teaching stream faculty shall be the same as for full-time faculty members with an appropriately reduced expectation as to the quantity of work.

Associate Professor, Teaching Stream

7. The same criteria apply to the promotion from Assistant Professor, Teaching Stream to Associate Professor, Teaching Stream, with a lesser level of accomplishment to be expected. Because the criteria for the granting of continuing status and the promotion to Associate Professor, Teaching Stream are so similar, and because the two decisions are usually made so closely in time, the granting of continuing status should be accompanied by promotion to Associate Professor, Teaching Stream. The only exception to this policy is promotion to Associate Professor, Teaching Stream prior to the continuing status review. Proposals for promotion to Associate Professor, Teaching Stream prior to the continuing status review should be approved only in exceptional circumstances and must be justified in writing to the Dean of the Faculty in multi-departmental divisions and in all cases to the Vice-President and Provost. For promotion to Associate Professor, Teaching Stream not linked with a continuing status review (i.e., early promotions), the procedures followed should be those outlined below for promotion to Professor, Teaching Stream in order to ensure an equivalent level of assessment of a candidate's abilities. The criteria and procedures for promotion through the ranks for part-time teaching stream faculty shall be the same as for full-time faculty members with an appropriately reduced expectation as to the quantity of work.

Attributes of Excellent Teaching

8. Excellent teaching may be demonstrated through a combination of excellent teaching skills, creative educational leadership and/or achievement, and innovative teaching initiatives, all in accordance with appropriate divisional guidelines.

Teaching includes lecturing, activity in seminars and tutorials, individual and group discussion, laboratory teaching, thesis and/or research supervision, and any other means by which students derive educational benefit.

Teaching effectiveness is demonstrated by the degree to which the candidate for promotion is able to stimulate and challenge the intellectual ability of students, to communicate academic material including professional knowledge effectively, and to maintain a mastery of his or her subject areas. It also involves maintaining accessibility to students, and the ability to influence the intellectual and scholarly development of students.

Attributes of Educational Leadership and/or Achievement and Ongoing Pedagogical/Professional Development

9. Sustained over many years, educational leadership and/or achievement is often reflected in teaching-related activities that show significant impact in a variety of ways, for example: through enhanced student learning; through creation and/or development of models of effective teaching; through engagement in the scholarly conversation via pedagogical scholarship, or creative professional activity; through significant changes in policy related to teaching as a profession; through technological or other advances in the delivery of education in a discipline or profession.
10. Evidence of continuing future pedagogical/professional development may be demonstrated in a variety of ways e.g., discipline-based scholarship in relation to, or relevant to, the field in which the faculty member teaches, participation at, and contributions to, academic conferences where sessions on pedagogical research and technique are prominent, teaching-related activity by the faculty member outside of his or her classroom functions and responsibilities, and professional work that allows the faculty member to maintain a mastery of his or her subject area in accordance with appropriate divisional guidelines.

Candidates will be assessed on educational leadership and/or achievement and ongoing pedagogical/professional development in accordance with section 9 and 10 and divisional guidelines.

Assessment of the Promotion Criteria

11. Confidential written assessments of the candidate's teaching, educational leadership and/or achievement, and ongoing pedagogical/professional development, should be obtained from specialists in the candidate's field from outside the University and whenever possible from inside the University. When a teaching stream faculty member is or recently has been cross-appointed to another division, assessments should be sought from the other division. The candidate will be invited to nominate several external referees. The Dean or Chair and the Promotions Committee (see paragraph 20) will whenever possible add to the list of referees. The Dean or Chair will solicit letters from at least three external referees and where possible these should include at least one referee suggested by the candidate and one referee suggested by the Promotions Committee. Where the Chair solicits the letters, the referee should send a copy of the response to the Dean.

These referees should be invited to assess the candidate's work against the Divisional Guidelines and advise whether or not the candidate's work demonstrates the achievement of excellent teaching, educational leadership and/or achievement, and ongoing pedagogical/professional development, sustained over many years. All referees' letters will be transmitted to the Promotions Committee and held in confidence by its members.

Written assessments of the candidate's teaching effectiveness will be prepared, in accordance with guidelines approved for the relevant department or division, and presented to the Promotions Committee. These guidelines specify the manner in which the division will provide the committee with evidence from the individual's peers and from students, and will offer the candidate the opportunity to supplement his or her file. Changes to divisional guidelines must be approved by the Vice-President and Provost and reviewed by Academic Board.

Attributes of Service

- 12a. *Service to the University and Similar Activities.* Service to the University means primarily administrative or committee work within the University. Consideration will also be given to activities outside the University which further the scholarly and educational goals of the University. Such activities might include service to professional societies directly related to the candidate's discipline, continuing-education activities, work with professional, technical or scholarly organizations or scholarly publications, and membership on or service to governmental committees and commissions. Outside activities are not meant to include general service to the community unrelated to the candidate's scholarly or teaching activities however praiseworthy such service may be.

Assessment of Service

- 12b. When appropriate, written assessments of the candidate's service to the University and to learned societies or professional associations which relate to the candidate's academic discipline and scholarly or professional activities will be prepared and presented to the Promotions Committee. When a candidate for promotion is or has been cross-appointed, assessments will be sought from all of the divisions in which the candidate has served and should be taken fully into account by the Promotions Committee.

Documentation

13. The fullest possible documentation should be made available to the Promotions Committee for each candidate to be given detailed consideration (see paragraphs 18 and 19). The responsibility for assembling the documents will be taken by the Chair of the department in multi-department divisions, otherwise by the Dean of the Faculty. The candidate, with appropriate assistance from the division or department head, will prepare a dossier in accordance with Divisional Guidelines and this Policy for submission to the Promotions Committee.

The dossier should include a statement of teaching interests and teaching philosophy, and teaching awards received, if any. The dossier should also include a list of all courses taught by the candidate during at least the preceding five years and a description of teaching methods and samples of course outlines, where appropriate. If the candidate has had major responsibility for the design of a course, this should be stated. A list of students whose research work has been supervised should be included, together with their thesis topics and the dates of the period of supervision.

Documentation may include, but is not limited to, publications in a variety of media including but not limited to, scholarly and professional journals, non-peer-reviewed or lay publications, books, CDs, online publications, invited lectures and presentations given at conferences, design of and contribution to academic websites, examples of professional work, and any other evidence of professional development.

Curriculum Vitae

14. The preparation of a curriculum vitae will be the responsibility of the candidate. The curriculum vitae should include:
 - (a) The academic history of the candidate giving a list of all teaching appointments held, other relevant experience and achievements, and a list of all research or other contracts and grants obtained during the preceding five years, at minimum. Part-time teaching stream faculty members should include their percentage appointment during at least the preceding five years.
 - (b) a list of the candidate's scholarly and/or creative professional work. This should include books, chapters in books, research papers, articles, and reviews, including work published, in press, submitted for publication, completed but not yet published, and in progress. It should also include such scholarly or creative professional work as the presentation of papers at meetings and symposia, original architectural, artistic or engineering design, or distinguished contributions to the arts or in professional areas.
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Procedural Matters

Responsibility for Recommendations

15. Initiation of the promotional review of a teaching stream faculty member will be the responsibility of the division in which the individual holds his or her primary appointment. Chairs and Deans must ensure that Promotions Committees are established and consulted as described below. Paragraphs 16 through 22 below are written for Chairs in the multi-departmental faculties. In divisions without a departmental structure the Dean will have the responsibilities described. In these instances, Faculty should be read for Department and Vice-President and Provost should be read for Dean.

Curriculum Vitae on File

16. Each Department will maintain a curriculum vitae file for each teaching stream faculty member who has continuing status or is in the continuing status stream. Chairs should remind faculty members to revise their curricula vitae annually. It is thus a joint responsibility of the Chair and the teaching stream faculty member to ensure that this file is kept current. A teaching stream faculty member may revise his or her curriculum vitae at any time.

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17. There will normally be a single departmental Promotions Committee to review candidates for promotion in the teaching stream and in the tenure stream. However, the membership of the Promotions Committee considering a teaching stream candidate will consist of at least five tenured or continuing status faculty at the rank of Professor, and/or Professor, Teaching Stream, with at least one faculty member at the rank of Professor, Teaching Stream.¹ Normally the Chair of the Promotions Committee will be the Chair of the department or his or her designate. A committee member who is being considered for promotion will withdraw from that part of any meeting in which he or she is being discussed. The membership of the Promotions Committee will be made known to the teaching stream faculty members of the Department and where possible should change in membership over the years. The deliberations of the Committee, and the appraisals presented to it, will remain confidential. In non-departmental divisions the Promotions Committee will be augmented by the appointment of a non-voting assessor appointed by the Vice-President and Provost. In multi-departmental divisions this assessor will be added to the Decanal Committee referred to in paragraphs 23 and 24 below. In Tri-campus departments, the Chair of the Promotions Committee may be the Graduate Chair.

A clear written record shall be kept by all promotions committees of the basis for each recommendation.

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referees from the Chair of the other division to which the candidate is appointed.

Submission of Recommendation

21. The Departmental Promotions Committee will recommend candidates for promotion to the Chair of the Department, who is responsible for making recommendations with respect to promotions to the Dean of the Faculty. Along with the names of those recommended for promotion, the Chair will forward the files on which the Departmental decision was based. If the Chair of the Department does not follow the recommendations of the Promotions Committee in submitting his or her recommendations to the Dean, the Chair must report the reasons in writing to the members of the Promotions Committee and to the Dean. A substantial disagreement within the Promotions Committee concerning the recommendation forwarded from the Committee will also be reported to the Dean. The submissions must be made at least five months before promotion is intended to take place. The Dean will then forward the divisional recommendations to the Vice-President and Provost as described in paragraph 24 below.

Informing Candidates

22. Each candidate who was given detailed consideration by the Departmental Promotions Committee will be informed by the Chair of the Department of the recommendation in his or her case. Candidates who received detailed consideration and who were not recommended for promotion will be given the reasons. If the Chair did not accept a positive recommendation from the Promotions Committee, the candidate shall be informed of this fact.

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Provost's Review

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Appeal Procedures

Grounds for Appeal

26. Appeals against the denial of promotion may be launched on either or both of two grounds:
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