

## TENURE APPEAL COMMITTEE OPERATING CODE 2012-2013

### FUNCTION:

To review a negative tenure recommendation at the request of the Tenure Review Board.

### MEMBERSHIP:

The six members of the CAPT plus the three members of the Tenure Review Board. No member of the Tenure Appeal Committee may sit for the review of a candidate in his or her own department. The Faculty Executive Committee will provide replacements for such reviews as needed.

### PROCEDURES OF THE TENURE APPEAL COMMITTEE:

1. The Chair of the CAPT shall preside over appeal proceedings.
2. The Tenure Appeal Committee shall conduct a review only once.
3. All members of the Tenure Appeal Committee will have access to the petition which the candidate submitted to the TRB.
4. The Chair of the Tenure Review Board will summarize for the Tenure Appeal Committee what complaints the Tenure Review Board determines warrant the review. Similarly, but separately, the Tenure Review Board Chair will summarize those issues for the candidate and his or her advocate (see paragraph 7 below), in the presence of the Chair of the Tenure Appeal Committee.
5. The Tenure Appeal Committee shall have access to the written information made available to the CAPT in its original deliberations and any additional material supporting the case, specifically pertaining to the area or areas of consideration deemed inadequate by the Tenure Review Board. Additional materials must be submitted no later than March 15.
6. Members of the Tenure Appeal Committee shall be bound by the same rules of confidentiality as govern the CAPT.
7. The candidate may designate an advocate to present testimony to the tenure appeal committee.
  - a. The advocate may be a person in the candidate's department, the candidate's chair, a Skidmore faculty member outside the department, or someone outside the college. The advocate may not be an attorney.
  - b. At his/her request, the advocate shall be informed of the reasons for the negative recommendation by CAPT and/or the DOF/VPAA at a joint meeting with the DOF/VPAA, the ADOFP, the Chair of CAPT, and the candidate.
  - c. The advocate, in the presence of the candidate, has the right of access to, but may not photocopy, the written materials available to CAPT in its original

deliberations.

- d. Whenever testimony is given by the candidate or the advocate, both shall be present.
8. The Tenure Appeal Committee may consult with the DOF/VPAA, the ADOFP, or members of the candidate's department at any time. The DOF/VPAA and the ADOFP may have access to the materials in the candidate's file.
9. The operating procedures to be followed by the Tenure Appeal Committee will be made available to the candidate well in advance of the proceedings.
10. The Tenure Appeal Committee shall convey its written recommendation to the President upon completing its deliberation with a copy sent to the DOF/VPAA and the ADOFP.
11. The President shall convey the result of the review and his/her recommendation in a letter to the candidate, and shall state therein, to the degree possible, the reasons for recommending or not recommending tenure. The letter shall be sent within 10 days of receipt of the Appeal Committee's recommendations, with a copy to the Appeal Committee.
12. After the President has communicated his/her decision to the candidate, the candidate has the right of access to, but may not photocopy, the written materials available to TAC.
13. The President will make recommendations to the Board of Trustees at its next meeting. The Board makes final decisions on tenure.