

## Tenure Appeal Committee Operating Code 2023-2024

### FUNCTION (from the Faculty Handbook):

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

### MEMBERSHIP (from the Faculty Handbook):

Two members of the ATC (the current and upcoming chairs), two members of the TRS (the current and upcoming chairs of CAFR) and three former members of the ATC or CAPT from previous years. The former members of the ATC or CAPT will be identified by the chair of the ATC according to the process for soliciting ATC substitutes when there is a conflict of interest in a tenure case. Specifically, former members who do not have their own conflict of interest and are not on leave will be solicited in order of most recent full-time membership (not substitute membership for a single case) on the ATC or CAPT. The chair of the ATC will serve as chair of the TAC.

### PROCEDURES OF THE TENURE APPEAL COMMITTEE:

1. The Chair of the ATC 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 TRS.
4. The Chair of the Tenure Review Subcommittee will summarize for the Tenure Appeal Committee what complaints the Tenure Review Board determines warrant the review. Similarly, but separately, the Tenure Review Subcommittee Chair will summarize those issues for the candidate and their 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 ATC 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 Subcommittee. Additional materials must be submitted no later than April 15.
6. Members of the Tenure Appeal Committee shall be bound by the same rules of confidentiality as govern the ATC.

7. The candidate designates 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 their request, the advocate shall be informed of the reasons for the negative recommendation by ATC and/or the DOF/VPAA at a joint meeting with the President, the DOF/VPAA, the ADOF, the Chair of ATC, and the candidate.

c. The advocate, in the presence of the candidate, has the right of access to, but may not photocopy or reproduce, the materials available to ATC 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 ADOF, or members of the candidate's department at any time. The DOF/VPAA and the ADOF 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 based on a simple majority vote of the seven members to the President upon completing its deliberation with a copy sent to the DOF/VPAA and the ADOF. This recommendation shall be made to the President no later than May 1.

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 by May 11, with a copy to the TAC.

12. After the President has communicated his/her decision to the candidate, the candidate has the right of access to, but may not photocopy or reproduce, the 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.

-----

Please note that this version is updating the previous June 14, 2023 version. The current version eliminated in Item 10 the following sentence: "A tie vote is considered a positive recommendation." because the number of TAC members was changed to 7 in 2021.