

CHAPTER 3: FACULTY APPOINTMENT, PROMOTION, AND TENURE

Introduction

The following section on appointment, promotion, and tenure is applicable to the faculty of Arts and Sciences, the Pratt School of Engineering, the Nicholas School of the Environment, the Divinity School, School of Nursing, the Fuqua School of Business, the Sanford School of Public Policy, authorized university institutes, and the basic science departments in the School of Medicine. Details of procedures of each of these units may be found in relevant appendices. Procedures for the School of Law may be found in Appendix I, and for the School of Nursing in Appendix K. Bylaws related to the clinical sciences in the School of Medicine are in Appendix L.

The quality of its faculty is the most vital determinant of a great university. Further, the highest standards of appointment, promotion, and awarding of tenure are best achieved by a process of careful examination and review. Such review is most effectively accomplished by a collaborative process whereby the faculty itself, through highly respected representatives, provides its best judgment and advice to the responsible administrative officers.

Judgments of academic excellence are complex. They cannot be reduced to a quantitative formula nor can the considerations that must be applied in each individual case be completely described in general terms. At the same time, the criteria to be applied in all cases must represent excellence in the quality of the candidate's performance, especially as a teacher and as a scholar. Scholarly productivity must reflect a serious and sustained commitment to the life of scholarship.

Appointment, Promotion, and Tenure

All tenured members of the university's regular rank faculty are appointed or promoted by the Board of Trustees or the Executive Committee of the Board of Trustees upon the recommendation of the provost, with the approval of the president.

Appointment and Promotion without Tenure

Faculty appointments may be made without tenure either in a tenure track or a non-tenure track. The terms of that appointment shall be made clear to the faculty member at the time of appointment.

Tenure track positions are normally filled by faculty with the Ph.D. at the three regular rank tenure track titles of assistant professor, associate professor, or professor. In Arts and Sciences, regular rank faculty without the Ph.D. are commonly appointed at the non-tenure track rank of lecturer. When such an appointment is made, the faculty member will not begin to accrue time toward tenure until the degree is awarded and he or she has been given a tenure track appointment. Subject to variations in some schools, initial appointment to a regular rank tenure track position without tenure will be for a term of four years.

Faculty who do not hold tenure track positions will be given modified titles. The complete set of modified titles for non-tenure track faculty, approved by the Academic Council and affirmed by the Board of Trustees, appears in Chapter 2 of this handbook.

Term (non-tenured) tenure track appointments at the ranks of assistant professor and associate professor, and promotions to assistant professor or associate professor without tenure, shall be made by the provost, based on appropriate recommendations by the deans or the heads of trustee-authorized faculty hiring units in accordance with internal departmental or school procedures. Additional review by an advisory committee is not required.

Annual Reviews and Reappointment to a Second Term

Annual reviews of regular rank non-tenured tenure track faculty will be conducted by the director of a program, chair, or dean for the purpose of providing direction and advice to the faculty member regarding progress at Duke. In general, the advice of senior faculty in the unit will be solicited for this review. Renewal of the initial tenure track appointment for a second term which may extend through the end of the probationary period will be made only on the basis of a careful departmental or school review and of approval by the dean and provost. The purpose of this

comprehensive review is to develop a judgment as to the faculty member's probable suitability for tenure at Duke. Once approval has been granted for the second term appointment in a tenure track rank, the faculty member becomes eligible to apply for a junior faculty leave (see policy on leaves).

Appointment and Promotion with Tenure

Appointments or promotions of full-time faculty members to tenured rank are made upon recommendations originating in the academic units authorized to make such appointments (e.g., departments and schools) described in Chapter 2 of this handbook. Recommendations for appointments from the outside must take into account program, departmental, school, and university needs.

Tenure track faculty members who are currently on a Flexible Work Arrangements (FWA) plan, and who have served at least half of their tenure track time as non-FWA, are eligible to be considered for tenure. The same expectations for tenure as those for non-FWA faculty members will apply. Once tenured, it is the expectation that the faculty member will return to non-FWA within three years of achieving tenure.

This rule goes into effect in the 2013-14 academic year. Those already on FWA and untenured prior to that date should consult with their dean who will make recommendations to the provost regarding their tenure process.

Tenure at Duke University, whether awarded to a faculty member currently on the Duke faculty or offered to a scholar who is being recruited for the Duke faculty, should be reserved for those who have clearly demonstrated through their performance as scholars and teachers that their work has been widely perceived among their peers as outstanding. Persons holding the rank of associate professor with tenure are expected to stand in competition with the foremost persons of similar rank in similar fields and to show clear evidence of continuing excellence in scholarly activity in their years at the university. Good teaching and university service should be expected but cannot in and of themselves be sufficient grounds for tenure. The expectation of continuous intellectual development and leadership, as demonstrated by published scholarship that is recognized by leading scholars at Duke and elsewhere must be an indispensable qualification for tenure at Duke University.

Full professors play a critical role in determining the intellectual quality of the university. Thus the rank of professor should be reserved for those who have clearly met the criteria for tenure and have demonstrated their continuous intellectual development and leadership. It should be clear that appointment to associate professor does not necessarily imply eventual promotion to full professor. Promotion to full professor should be reserved for those who have an academic record documenting a continuous high-quality performance level in at minimum two of the following three required components of scholarly productivity--research, teaching and service--together with a good performance record in the third required component. Length of service alone should not produce an expectation for promotion.

Responsibilities of the Department, Program, or School

All Trustee-authorized faculty hiring units (e.g., departments, programs, and schools) must have a set of formal procedures to govern their internal evaluation processes. The deans, directors, and department chairs are responsible for submitting these procedures to the provost. The provost will review the procedures and assure that they are generally acceptable and consistent with the policies described herein. The deans, directors, and department chairs will be responsible for distributing these procedures, once endorsed, to all members of the department, program, or school and to new members of the faculty at the time of appointment.

Appointments

For appointments at the rank of associate professor with tenure or at the rank of full professor made from outside Duke University, the evaluation process can be initiated at any convenient time. Although the thoroughness and completeness of the process must not be compromised, sometimes the evaluation may pose problems in the recruitment process and must be conducted with delicacy and dispatch. The procedures to be followed are essentially the same as those for promotion described below and will be initiated whenever the outside scholar indicates a willingness to become a candidate and the authorized unit places his or her name in nomination along with a dossier (see section on dossier).

Promotion and Tenure

Reviews for granting tenure or for promotion to associate professor with tenure or to professor shall be conducted first in the basic authorized academic unit, be it the department (in Arts and Sciences or the Pratt School of Engineering), the section, division, program or institute, or the school. The head of the unit shall inform the

candidate of the review and indicate the approximate time in which the review process will be completed. Prior to requesting approval from the dean for the membership of the departmental review committee or inviting any faculty to serve on it, the head of the unit shall request from the candidate (providing a copy to the dean to inform the dean's required approval of the review committee and for inclusion in the dossier) a brief written synopsis of his or her intellectual interest, including a description of any factors – interdisciplinary or otherwise – that the candidate believes should be taken into consideration in establishing said review committee. Except in cases when a basic authorized academic unit has fewer than five tenured faculty eligible and available to vote (see below), whenever a tenured faculty member from another authorized academic unit is invited to serve on a candidate's review committee, said extra-departmental faculty member shall be added to the standard unit review committee for this instance. All members of the review committee shall have the right to vote on the report of the committee and to attend the discussion in the candidate's department regarding the case.

When candidates hold secondary/joint appointments and/or participate in interdisciplinary activities beyond the primary department, it is expected that such other academic units will be asked to provide a statement for the dossier about the level and quality of the candidate's contribution there. Furthermore, the dean shall be actively involved in determining the membership of the faculty review committee so as to assure an informed evaluation of the candidate's disciplinary or interdisciplinary contributions.

When the unit has completed its review, if it has reached a favorable decision the chair shall forward the recommendation along with the complete dossier (see section on dossier) of the candidate to the dean, and the dean, in turn, to the provost. Opinions from the chair and the dean will be added to the file, but even should such intermediate recommendations be negative, a dossier with a favorable recommendation from the unit must ultimately be forwarded to the provost. A recommendation for promotion and/or tenure is made by secret unsigned ballot of tenured faculty members, consistent with the unit's procedure. These recommendations should be forwarded along with a list of those present and the tally of the vote.

When the review by the basic authorized academic unit (generally a department) reaches a negative conclusion, the chair or director shall inform the dean and the candidate of the decision and the reasons for it. The faculty member may appeal this decision to the provost through the dean within two weeks of notification.

When a basic authorized academic unit has fewer than five tenured faculty available to vote, the provost, after consulting with the head of the unit (generally the chair or dean), shall add tenured faculty members from other authorized academic units who are considered knowledgeable in the candidate's area. In this way, the voting membership of those passing on the candidate's credentials will number at least five.

Schedule

Formal review procedures for promotion and/or tenure by the basic authorized academic unit (e.g., department or school) shall be initiated in the spring or summer of the academic year prior to that in which action by the Board of Trustees is required. Review schedules may vary slightly among the schools. It should, however, be noted that the work of the provost's Advisory Committee on Appointment, Promotion, and Tenure is conducted principally during the fall and spring semesters of the regular academic year. Faculty members will be notified of the provost's decision by April 1 when the recommendation of the department or school and complete dossier, including the dean's written assessment, are submitted to the committee no later than November 1 for promotion to full professor and December 1 for promotion with tenure.

Dossier

It is the responsibility of the recommending unit to assemble all the materials necessary for the review. The head of the unit initiating the recommendation (e.g., director of a program, chair [in Arts and Sciences or the Pratt School of Engineering], or dean) has the responsibility of insuring that the dossier sent on for review is as complete as possible.

The complete list of materials to be included in the dossier is provided to the deans by the Office of the Provost.

In Arts and Sciences, the Pratt School of Engineering, the Nicholas School of the Environment, and the Medical School, the dean will examine the dossier submitted by a department (or Trustee-authorized division in the Nicholas School of the Environment) for completeness and, if the dean considers it incomplete or inadequate, return it to the department or division for more preparation. In schools without departments (e.g., Divinity School, Sanford School of Public Policy, and Fuqua School of Business), the dean will examine the dossier for completeness. If the dean considers the dossier adequately presented and documented, it will be forwarded to the provost. However, the dean

may seek supplementary information to inform his or her recommendation. All such requests and the resulting information shall be added to the dossier and kept confidential. The dean shall present in writing his or her assessment of the candidate's scholarly credentials and suitability for appointment, reappointment, tenure, or promotion. For the purposes of the AP&T Committee's consideration, the dean should address only the candidate's scholarship, teaching, and service. If he or she so wishes, in a separate letter addressed only to the provost, the dean may also present in writing additional information about the school, its goals, needs, and the relation of the dossier to them; this institutional information is solely for the provost's consideration and is not germane to the considerations of the AP&T Committee. Such strategic considerations are not to be considered by the AP&T Committee or the provost in cases of internal promotion to tenure.

Responsibilities of Provost's Advisory Committee on Appointment, Promotion, and Tenure

All appointments and promotions that confer tenure and promotions to the rank of professor shall be considered by the Advisory Committee on Appointment, Promotion, and Tenure (AP&T), a group that advises the provost.

This committee is appointed by the provost and, in addition to the chair, consists of twelve full professors nominated by the Executive Committee of the Academic Council (ECAC) on the basis of scholarly distinction, aptitude for service on this demanding committee, and availability for the term involved. In making nominations, ECAC shall seek balance among divisions, schools, and academic disciplines within the faculty. Normally at least two members will come from the Arts and Sciences Division of Humanities, two from the Division of Social Sciences, two from the Division of Natural Sciences, one from the Pratt School of Engineering, one from the Fuqua School of Business, one from the basic medical sciences, and three from these or other units, subject to review. The chair shall be a faculty member nominated by ECAC and appointed by the provost. The chair will be appointed for a one year term, renewable. The president, the provost, and the dean of the Graduate School will serve as nonvoting ex-officio members of the committee.

The Advisory Committee on Appointment, Promotion, and Tenure is charged with evaluating the dossiers forwarded to it, consistent with standards enunciated in this document. If the AP&T Committee has questions about materials in the dossier, or if it lacks certain documentation, the committee will ask the chair, director of the program, or dean of the originating unit for clarification or additional materials. The AP&T Committee may supplement the outside letters received about a candidate with additional letters or reports from evaluators who are competent to judge the candidate's scholarship. Should the AP&T Committee decide, in its sole discretion, that it needs additional advice, it reserves the option to establish an ad hoc panel to review the dossier. This panel may gather additional information, if necessary, and will be asked to provide the AP&T Committee with a written evaluation. Panel members will be selected on the basis of their knowledge of the candidate's field and an overall balance of perspectives. One or more panel members may be Duke faculty, and it is typical to include at least one member from another institution. An AP&T Committee member normally will serve as liaison between the ad hoc panel and the AP&T Committee. In the case of current Duke faculty being evaluated for tenure the chair (or director) of the originating academic unit and dean will meet with the AP&T Committee to discuss significant issues raised in the course of the evaluation; in the case of external tenure candidates or internal candidates for promotion to full professor such interviews may be scheduled at the AP&T Committee's discretion.

Individual faculty members may write to the AP&T Committee (or to the provost, who will refer such letters to the AP&T Committee) with regard to any case being considered by that committee. Such communications will be added to the dossier and kept confidential.

The Advisory Committee on Appointment, Promotion, and Tenure must then formulate its own recommendations for presentation to the provost. In general, a quorum requires nine voting members unless a sufficient number of votes, affirmative or negative, has been cast to represent an absolute majority (seven) of the committee. A recommendation should be considered definitive only if it has been supported, affirmatively or negatively, by vote of an absolute majority (seven) of the AP&T Committee. In the event the AP&T Committee's recommendation is negative, the provost will review the dossier (prior to notification of the candidate or department) to determine whether all factors relating to the merit and value of the candidate, including ethnic, racial, and gender diversity, have been fully and adequately considered.

The provost will inform the AP&T Committee of his or her decision. Should the provost choose not to accept the recommendation made by the AP&T Committee, the provost shall so inform the committee in writing and indicate the basis for the decision.

The provost will communicate to the appropriate dean his or her decision and the major factors underlying it. The dean of the school is responsible for transmitting this information to the head of the originating academic unit (e.g., department chair), if there is one, and either the dean or chair will communicate this to the candidate. If the provost intends to render a negative decision on a case already considered by the AP&T Committee, or a case that has not received a positive recommendation from the department, the provost will inform the candidate, the departmental chair and the relevant dean. An appeal of the provost's impending decision, from any or all of these three parties, may then be made within the following two weeks, submitted through the Dean. The provost will also provide a copy of the official APT memo summarizing the case and the deliberations of the APT Committee, or of the chair's review summary. If the provost intends to act contrary to a positive recommendation from the APT Committee, the provost must provide the basis for this decision. On the basis of this appeal, the provost may then either refer the case back to the AP&T Committee, including the departmental appeal, and ask for reconsideration of its recommendation or make his or her decision without referral. On any one case the originating academic unit, school, and/or candidate is limited to one appeal.

Generally if a candidate's tenure dossier is forwarded by the academic unit, the AP&T Committee will consider the candidate only once. Thus, a faculty member whose tenure review is undertaken by the AP&T Committee during his or her initial contract term, and who is turned down for tenure by the University, shall be allowed to complete the term of the original appointment, but his or her tenure track appointment shall not be renewed or extended. However, a tenure track faculty member who has been turned down for tenure by the University may apply during an authorized national search for an existing non-tenure track position at Duke.

When the provost's recommendation is favorable, the provost shall consult with the president. With the president's approval, the provost shall submit the recommendation to the Board of Trustees for final action.

Records of each case shall be properly safeguarded and when the case is completed, retained or deposited under appropriate controls in the University Archives for a period to be determined by the university counsel.

Appointment, Reappointment, and Promotion of regular rank non-tenure track faculty for schools and institutes under the provost

The following text will supersede the language in Appendix C (C7-C10) of the Faculty Handbook for regular rank non-tenure track faculty for schools and institutes under the Provost.

The following guidelines apply to non-tenure track appointments within the Provost management center and are not directly applicable to the Schools of Medicine and Nursing.

Regular rank non-tenure track faculty members are integral to the intellectual life and teaching mission of the schools and several of the institutes at Duke, filling important roles, through the roles differ somewhat between units. It is the intent that these positions will have long term and an ongoing contractual relationship with the University (e.g. repetitive contract, participation in continuing research grants, etc.). As with tenure-track faculty, university rules and procedures governing the appointment, reappointment, and promotion of regular rank non-tenure track faculty are intended to uphold the highest standards of excellence. They also seek to honor the diversity of activities and service that regular rank non-tenure track faculty provide within various schools and institutes.

Guidelines for New Appointments in Regular Rank Non-tenure Track Positions

The dean of each school or director of each institute requests authorization from the Provost for each new regular non-tenure line faculty appointments. The dean or institute director establishes policy regarding whether a search is required for new appointments, with the expectation that (inter)national searches will normally be required for all new regular rank appointments. The dean or institute director, in collaboration with the faculty, defines the procedures for such a search.

The possible non-tenure track faculty titles include:

- Assistant/Associate/(Full) Professor of the Practice
- Assistant/Associate/(Full) Research Professor
- Assistant/Associate/(Full) Clinical Professor
- Lecturer/Senior Lecturer

Guidelines for Review of Regular Rank Non-tenure Track Positions

The intent of an ongoing contractual relationship is a requirement for all regular rank positions. Some regular rank non-tenure track positions may be connected to limited-term grants or specific instructional needs. Thus it is important to maintain a distinction between review and contract renewal. Whether the review is for an initial appointment, reappointment, or promotion of full-time faculty in regular, non-tenure track ranks, the review process will focus on evaluating an individual's qualifications for a specific faculty title. Successful review is not necessarily synonymous with contract issuance or renewal, since this may depend upon funding support or curricular need. Before authorizing a review, the dean or institute director should consider carefully the intention for an ongoing contractual relationship between the faculty member and the University, and the availability of funding support to determine the ongoing status of the position. Contract periods should be synchronized with appointment periods. However, when funding is not ensured for the duration of the contract, the contract should make this clear. Furthermore, in the event of impending termination, faculty must be notified no later than one year before the termination. Termination of external funding will not result in termination of the Duke affiliation specified in the contract, but it may result in termination of compensation absent other sources of funding. Until a contract expires, the faculty member can apply for additional external funding as a Duke faculty member.

Annual formative reviews

Annual reviews of regular rank non-tenure track faculty will be conducted by the director or program chair, or dean or institute director, or an appropriate delegate for the purpose for providing direction and advice to the faculty member regarding their progress at Duke.

Periodicity of formal evaluative reviews

Initial appointments to regular rank non-tenure track appointments will be reviewed for reappointment (and, when appropriate, promotion) in the penultimate year of the current contract, except under conditions as requested by the dean and granted by the provost. Subsequent review will typically be conducted at least every five years. The dean or institute director may approve an interval as long as 10 years for a faculty member at the level of (full) Professor of the Practice, Research Professor, or Clinical Professor. Reviews for initial appointments, the first review after appointment, and reviews for promotion should be detailed; reviews for subsequent reappointment may be less detailed. For cases where annual reviews demonstrate that the faculty member clearly exceeds the standards required for reappointment the school or director may authorize an expedited review process for reappointment at the same rank. The dean or director of each school or institute, in collaboration with the faculty, shall determine what materials are required for an expedited or less detailed review, as well as any limitations or restrictions on when faculty are eligible for it.

Responsibilities of the Department, Institute, or School

Each unit with hiring authority, such as a program or department (in schools with departments) or school or institute is permitted—and expected—to establish criteria and procedural guidelines for evaluating candidates for appointment, reappointment, and promotion in regular, non-tenure track ranks, which are appropriate to its discipline. These criteria and guidelines must be generated in partnership between the faculty and the unit Chair, and be submitted in writing to the dean (for schools with departments), the governing faculty body of that School or institute, and provost for approval. Criteria should be more rigorous for each higher level of faculty rank and should be equally rigorous, though not identical to, those used for tenure track faculty. In the case where criteria differ among hiring units or departments, the dean or institute director is responsible for assuring that the criteria are equally rigorous for equivalent ranks in different departments. The provost is responsible for review of and approval of the guidelines assuring appropriate and equally rigorous criteria are applied in different schools and institutes. Criteria and guidelines for each department or school must be made readily available to faculty, preferably through posting on a unit website, and criteria will be consistent for similar cases within a given unit. Annual reviews will provide an opportunity to evaluate progress relative to these criteria.

Components of regular rank non-tenure track review process

1. Each school or institute will establish guidelines for the size and composition of the review committee that prepares the initial report on appointment, reappointment, or promotion.
2. While a general template of items to include in the review portfolio is provided by the provost's office, each school or institute will have some flexibility to reshape that list to fit the nature of the position being reviewed.

3. All qualified faculty in the hiring unit, including program or department (for schools with departments or hiring unit programs) or school or institute will be allowed to vote on the potential appointment, reappointment, or promotion of regular rank non-tenure track faculty, after consulting the review committee report.
 - a. On candidate for initial appointment at any regular non-tenure track rank, all regular-rank faculty are eligible to vote, regardless of the rank proposed for the candidate.
 - b. On candidate for reappointment to the same regular non-tenure track rank, all regular rank faculty, who hold the same rank as the candidate or a higher rank are eligible to vote.
 - c. On regular non-tenure track candidates for reappointment with promotion, all regular rank faculty, who hold either the same or higher rank than the proposed promotion shall be eligible to vote.
4. In cases receiving a favorable program or departmental or school or institute recommendation, the dean or institute director will decide whether to proceed with the initial appointment, reappointment, or promotion, and will forward the decision to the provost, who will take it to the Board of Trustees for approval. In cases where the program or departmental recommendation is unfavorable the candidate may appeal the decision to the provost within two weeks of the notification date.
5. Finally, at the point of their decision to support or decline the relevant action, the dean or institute director will notify the candidate of the decision.

Continuance after an unfavorable review

In the event of an unfavorable review, regular rank non-tenure track faculty members will be allowed to continue in their position to the end of their current contract.

Confidentiality Policy

Pursuant to university custom and policy, all documents contained in the dossier with the exception of the materials directly submitted by the candidate are considered confidential, as is the identity of all external reviewers. The total dossier is made available only to those individuals officially responsible for recommendations and/or decisions on the candidate's status. These individuals include (1) the voting members of the departmental faculty in cases of appointment; (2) tenured departmental faculty of rank higher than the candidate in cases of reappointment, promotion, and tenure within the university; (3) the departmental chairs and administrative assistants of the chairs; (4) the appropriate deans, the provost, the provost's Advisory Committee on Appointment, Promotion, and Tenure, and related committees; (5) the president; and (6) the Board of Trustees. All individuals participating in the APT process are expected to adhere to this statement regarding confidentiality.

Ad hoc panels and/or individual additional external reviewers may be consulted by any of the above listed university administrators or faculty bodies with the expectation that the privacy and confidentiality of the dossier is protected.

Academic Council
March 31, 1988
Revised September 2001
Revised June 2017