**Guidelines for Filing a Claim with CCAFR (revised June 2017)**

The Committee of Counsel on Academic Freedom and Responsibility (CCAFR) is one avenue of appeal in tenure and promotion cases, faculty annual reviews, comprehensive post-tenure reviews, and mid-probationary reviews. In tenure and promotion cases, the Faculty Grievance Committee provides another avenue of appeal. Either or both may be pursued.

When requested, CCAFR investigates claims of violations of procedures and/or principles of academic freedom. University procedures are described in the references below for comprehensive post-tenure review [1, 2], faculty annual reviews [1, 3] and tenure and promotion [4]. Academic freedom principles include those adopted by the American Association of University Professors (AAUP). The 1940 AAUP tenets of academic freedom are given in http://www.aaup.org. CCAFR does not review disputes about professional judgments concerning the merits of faculty members’ records.

Once a CCAFR appeal has been submitted to the Office of the General Faculty, the CCAFR chair appoints a subcommittee of three CCAFR members to investigate the claim. The CCAFR members of the subcommittee are chosen to avoid any bias or conflicts of interest and, in general, are not from the same college or school as the claimant’s primary appointment. The claims in the appeal should be enumerated so that the investigating CCAFR subcommittee can refer to the number of each claim in its report.

For a comprehensive post-tenure review, the faculty member may appeal to CCAFR as soon as the initial review is made available, which is scheduled to take place by February 1st. Alternately, a faculty member could appeal the review outcome to the college [2], wait for the college to report the results of the second review by June 1st, and then appeal to CCAFR.

For tenure and promotion cases, the deadline to submit a CCAFR appeal is January 31st or six weeks after the faculty was officially notified of denial of tenure or promotion, whichever is later.

From the fall 2017-18 version of the *General Guidelines* for tenure and
promotion [4], we highlight some of the rights of a promotion candidate. Any denial of these rights, and any unreasonable delay in the exercise of these rights, constitutes a procedural violation. Procedural violations may or may not rise to the level of tainting a promotion case.

(a) What academic years count toward the tenure probationary period? (section A.3b)

A recommendation for promotion to associate professor normally is considered in the sixth year of the individual’s service as assistant professor (or combined service as instructor and assistant professor). Cases considered before the sixth year in rank are accelerated and must be explained in the department chair’s and dean’s statements.

An assistant professor must be reviewed no later than the sixth year of the probationary period and be either promoted to associate professor with tenure or place on terminal appointment for the next year. A year in which a faculty member has been on leave without pay or claimed an extension in accordance with HOP 2-2020 [5] does not count toward the probationary period.

Candidates whose probationary period has been extended under HOP 2-2020 or due to leave without pay in accordance with the university family and medial leave policies shall be evaluated as if the work were done in the normal period of service.

(b) Review of associate or full professors without tenure (section A.3c).

The tenure status of individuals appointed to the associate professor or professor ranks without tenure must be reviewed no later than the third year of probationary service.

(c) Review of associate professors with tenure for early promotion (section A.4).

Associate professors with tenure may be considered for promotion to professor during any year deemed appropriate by the budget council executive committee and department chair. Promotion before six years in rank have elapsed is considered accelerated and must be explained.

(d) Review of associate professors with tenure in rank for 10+ years (section A.4).

A faculty member in the rank of associate professor has the right to be considered for promotion to professor in his or her tenth year of service as an associate professor. To invoke this right of consideration, the associate professor must advise his or her department chair no later than February 1 of his or her ninth year of service of the desire to be considered for promotion to professor. The case
shall be considered at all administrative levels, including the president. Should the associate professor not be promoted, he or she may be considered during any year thereafter at the discretion of the budget council/executive committee and the department chair or may invoke his or her right to be considered during the end of the subsequent five years of service.

(e) Review by candidate of promotion materials before the department considers the case, with opportunity for candidate to seek redress of incomplete/inaccurate materials (section B.1b). Before the departmental committee considers a case, the chair or dean shall ask the candidate to check the materials in the promotion dossier. The purpose of this review is to ensure that all candidate materials are enclosed in the dossier submitted by the candidate. If the candidate believes that the file is incomplete or includes inappropriate material, or if the candidate has any other objection to the process, the chair, dean, or their designee shall either correct the problem or include a statement in the file about the problem and why it was not addressed as the candidate requested. The candidate may also place a statement in the file about the problem or aspects of the case.

(f) Review of promotion materials by candidate at any time (section B.2.d). Under state law, the university may not keep the contents of the promotion file confidential. A candidate may request and be allowed to inspect any material in his/her promotion dossier at any time during the promotion process.

(g) Creation of a new “Additional Statements” section to allow the promotion candidate to provide statements related to the promotion process being applied in their case (section C.9). Any additional, non-required statements added to the file as a result of the candidate’s review before budget council/executive committee deliberations (sections B.1.b and B.2.d.i) or received after the candidate’s review (section B.1.c) shall be date stamped and placed in a separate folder.

The Handbook of Operating Procedures (HOP 2-2160) says the following:
Responsibility for submitting Annual Reports and for keeping their personnel files up-to-date with any new material concerning teaching activities, research, scholarship, publications or public service rests with the individual faculty members. The annual evaluation of each faculty member shall include an assessment of these documents.... The final results of the annual evaluation shall be communicated to each faculty member by the department chair. This communication shall be written and it shall advise the faculty member of any
areas that need improvement.”

- Comment: The annual evaluation in writing helps a faculty member know what needs improvement in teaching, research, and/or service. This material is particularly helpful during the tenure probationary process. In addition, the presence of written annual evaluations is helpful when there is a change in Department Chairs during a faculty member's promotion period.

References

All UTAustin policies regarding faculty promotion and tenure can be found on the Provost Office website:

https://provost.utexas.edu/faculty-affairs/faculty-policies-resources

Some policy statements of particular interest include:

[1] Board of Regents policies of annual and comprehensive review of tenured faculty members
https://www.utsystem.edu/board-of-regents/rules/31102-evaluation-tenured-faculty

[2] UT Austin procedures for comprehensive (six-year) post-tenure reviews,
https://utexas.app.box.com/s/ivaq7naurrfd807hfd4df0f4km0xj4nh

[3] UT Austin guidelines procedures for faculty annual reviews
https://utexas.app.box.com/s/uz8jxh5lhkmue0kkhv80mdaadvj285rm

https://utexas.app.box.com/s/8xkm6bnim7sycj0fxa061j4vurc83ksx

https://policies.utexas.edu/policies/extension-tenure-track-probationary-period