

Effective 7/1/2014 – CAPM 402.200, Deferral and Mandatory Review

A. DEFERRAL

Deferral may be granted to eligible faculty listed on the annual CALL for Academic Personnel Actions who wish to postpone their review. The effective date of the decision in the action subsequent to the deferral is not retroactive to that of the deferred review.

Assistant Professors and equivalent ranks, and those in Acting titles, are not eligible to defer because these appointments have end dates. However, in justifiable circumstances, an exception may be granted to delay a mid-career appraisal by one year, typically to realign the appraisal with a reappointment and merit review (see [CAPM 408.220.4.a](#)).

Faculty at indefinite steps (Professor, Step 5 through Above Scale) will not appear on the CALL until their mandatory review. There is no deferral of a mandatory review; however, there are limited situations in which a delay or exemption may be approved; see section B below.

Deferral of a review may be appropriate for a variety of reasons (e.g., candidate was on leave during one of the review years, time served at an overlapping step resulted in the candidate being on the CALL in successive years); however, deferral should not be used to avoid addressing cases of unsatisfactory performance and of less than desirable excellence.

Deferrals that are requested and approved in accordance with this policy are typically for a two-year period. Consecutive deferrals are permissible; however, because of the requirement that all faculty must be reviewed at least every five years ([APM 200-0](#)), no deferral may be approved that would extend beyond this five-year limit.

In addition, a faculty member's failure to meet the deadline established for submission of materials in an academic personnel review will result in deferral, such deferrals are automatic (see [CAPM 400.220-2](#) and the annual CALL). This type of deferral is for a one-year period only. Further, any faculty member who fails to submit materials by the established deadline will be considered not to be in good standing, which may result in the denial of some privileges, such as sabbatical leave, Committee on Research funding, or divisional research support.

In any event, department chairs remain responsible for making certain that there is an annual review of the status and performance of each faculty member in the department and, as stated above, deferrals should not be used to avoid addressing cases of unsatisfactory performance and of less than desirable excellence.

Procedures:

No later than 30 calendar days prior to the campus deadline established for submission of materials or the department's deadline, if earlier, the faculty member must submit a written request for deferral to the department chair, including an explanation for the request and a statement addressing how the faculty member expects to use the additional time to prepare for their next review. The request must be accompanied by an updated biobibliography.

The department chair is delegated authority for approving deferrals. In considering the request, the department chair is expected to review the faculty member's updated biobibliography and recent teaching evaluations to assess whether performance is at least satisfactory in the areas of teaching, research and creative activity, and service.

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If performance concerns are identified, the chair shall communicate them to the faculty member and should assist in developing measures to address the deficient performance. It is the faculty member's responsibility to improve her/his performance prior to the next review; however, the chair should remain engaged to ensure that the faculty member receives appropriate guidance and support. Additionally, in the event that serious performance deficiencies are identified, the chair is strongly encouraged to consult with the dean to determine appropriate steps, including whether or not approving the requested deferral is appropriate.

If deferral is approved, a copy of the request and the approval is forwarded to the dean, the Committee on Academic Personnel, and the Academic Personnel Office. If a request for deferral is not approved, a review must be conducted during the current review year.

B. MANDATORY REVIEW

The annual CALL includes all faculty members and equivalent ranks who are subject to mandatory review in accordance with [APM 200-0](#). Mandatory review shall take place during a faculty member's fifth year of service without review; this review cannot be declined or deferred by the faculty member. However, should the candidate be on approved medical leave, the commencement of the mandatory review may be delayed until the individual's return to service. In addition, and in accordance with APM 200-0, the Campus Provost/Executive Vice Chancellor may exempt Deans, full-time Faculty Administrators, and those members of the Senior Management Group with an underlying academic appointment from mandatory review in their faculty title.

For faculty members below Professor, Step 5, the mandatory review shall be a review for merit advancement (i.e., step increase) given that progression through the ranks/steps is expected at all levels other than at an indefinite step. [See the Procedures section below for mandatory reviews involving faculty at the overlapping step of Associate Professor, Step 4.] Faculty that are not making normal progress through the ranks and steps need to be provided feedback from the peer review process to assist them in identifying the areas in their record that are deficient so that they may take appropriate action.

For faculty members at an indefinite step (Professor, Step 5 through Above Scale), the mandatory review need not be a review for merit advancement, or salary increase only for those faculty already at Step 5, 9, or Above Scale, unless requested by the faculty member. However, given that the candidate's teaching, research and creative activity, and service have not been formally assessed since the last review, a peer review, including review by the Committee on Academic Personnel (CAP), shall be conducted to evaluate the candidate's performance in these required areas to ensure that the candidate's record during the review period is at least satisfactory.

In any cases of extreme performance deficiencies, chairs and deans should refer to [APM 075, Termination for Incompetent Performance](#). In cases of meritorious teaching and service but no active research, voluntary movement to the [Lecturer with Security of Employment Series](#) may be considered.

Procedures:

At a minimum, all faculty undergoing mandatory review in accordance with this policy are required to submit an updated biobibliography and a personal statement by the campus deadline established for the submission of materials or by their department's deadline, if earlier. If the faculty member does not submit these required materials, the department shall conduct the review based on the material available (e.g., student evaluations from the review period, assessment of service assignments in the department).

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Any faculty member on the CALL for mandatory review who fails to submit materials by the appropriate deadline will be considered not to be in good standing, which may result in the denial of some privileges, such as sabbatical leave, Committee on Research funding, or divisional research support.

As necessary, the dean may appoint a tenured faculty member to conduct the mandatory review of a faculty member currently serving as department chair. For information related to the evaluation of department chair service vis-à-vis the mandatory review of the faculty position, see [CAPM 316.245.B.1 and 2](#).

Faculty below Professor, Step 5

For faculty below Professor, Step 5, the mandatory review shall be a merit review because such advancement is expected at all steps other than an indefinite step. The CALL action in these cases is mandatory merit review. The only exception to this is for faculty at Associate Professor, Step 4, an overlapping step, where actual step advancement is not possible. For such mandatory reviews, the advancement recommendation should follow the policy found in CAPM 407.690, Overlapping Steps. In either case, the review shall follow the established procedures and authority for the merit or salary increase only action, including a vote by the Bylaw 55 faculty and review by CAP.

In the event that a faculty member elects to undergo a promotion review at the mandatory review juncture, the review shall follow the established procedures and authority for promotion actions.

Faculty at an Indefinite Step (Professor, Step 5 through Above Scale)

For faculty at any of the indefinite steps of Professor, Step 5 through Step 9, the personal statement should identify whether or not the faculty member wishes to be considered for merit advancement; or in the case of faculty at Step 5 and Step 9, there is also the option to request review for a salary increase only. For information about limitations on salary increases for faculty currently at Professor, Steps 5 and 9, please refer to [CAPM 803.620, Off-Scale Salaries](#). For faculty currently at Above Scale, the personal statement should identify whether or not the faculty member wishes to be considered for a salary increase.

In all cases where the faculty member at an indefinite step does request a review for merit advancement (or salary increase only at Steps 5 or 9 or Above Scale), the file shall follow the established procedures and authority for the type of advancement requested, including a vote by the Bylaw 55 faculty and review by CAP.

For those faculty at an indefinite step that do not wish to be considered for any advancement a review must still be conducted but a department vote is not required; however, Bylaw 55 faculty input on the file is required (e.g., faculty discussion of the file submitted). The department assessment should document the faculty member's satisfactory performance in teaching, research and creative activity, and service. The dean has authority for this type of mandatory review, following review by CAP.

Should a subsequent level of review recommend advancement in step or salary on a file where there was no Bylaw 55 vote taken, the file will be returned to the department for a vote on the recommended action.

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Negative Outcome of any type of Mandatory Review

If the final decision of any type of mandatory review conducted in accordance with this policy is not “positive” (i.e., does not result in advancement in rank, step, or salary for faculty below Professor, Step 5, and/or where performance is deemed to be less than satisfactory), the Vice Provost for Academic Affairs will meet with the faculty member to discuss the review and develop written improvement measures designed to address the performance deficiencies identified during the course of the review. The department chair and dean may also be involved in this meeting and/or consulted regarding the written improvement measures. Depending upon the nature and seriousness of the deficiencies, the remediation measures may include a timeframe in which faculty are expected to demonstrate improvement.