

Article 19 – Continuing Appointment

A Teaching Faculty Member normally will have an initial three (3) year probationary appointment. The appointment may be renewed as a Continuing Appointment after a review of the performance of the Teaching Faculty Member. With the approval of the Provost, a Teaching Faculty Member may be hired directly into a Continuing Appointment as a Senior Lecturer.

19.01 Criterion for Granting of Continuing Appointment

Teaching Faculty Members who are candidates for a Continuing Appointment are assessed on their Teaching and Service/Other. Candidates granted a Continuing Appointment must show clear promise of continued contribution through a record of satisfactory Teaching and Service/Other.

19.02 Timing of the Review

- a) The Dean shall contact the candidate to initiate the review process and arrange a meeting that shall take place by May 15 of his/her penultimate probationary year. The Dean shall review the requirements of this Article at the meeting.
- b) Any candidate who has taken maternity, adoption or parental leave or a period of reduced responsibility following the birth or adoption of one or more children, shall have the Continuing Appointment process postponed for a period of one (1) year for each such leave or period.
- c) At the discretion of the Provost, a candidate may have his/her probationary appointment extended and his/her Continuing Appointment process postponed on condition of exceptional personal or professional circumstances.

19.03 The Review Committee

- a) The Dean of the Faculty shall appoint a Review Committee which s/he shall chair, consisting of at least two faculty members from the Faculty. At least one of these faculty members must be either tenured or a Senior Lecturer or Master Lecturer.
- b) The Dean shall provide, in writing, a list of the names of the members proposed for the Review Committee for the candidate by January 15th with the request that the candidate communicate, in writing, to the Dean, any objection(s) concerning any member of the Committee within five (5) Days, stating the reason for the objection(s). The Dean, after considering the candidate's response to the

proposed membership of the Review Committee, shall take appropriate steps to resolve any objection(s).

- c) By January 31st, the Dean shall provide the candidate with the names of the Review Committee membership.

19.04 Documentation Supplied by the Candidate

- a) By February 1 of the candidate's final year of his/her probationary appointment, the candidate undergoing the Review shall provide to the Dean:
 - i. An updated and complete curriculum vitae that includes relevant professional development information;
 - ii. A statement written by the candidate that addresses how the criterion for Continuing Appointment has been satisfied. This statement will include two (2) main sections that address the criterion in 19.01. This statement may include, if applicable, availability of resources and the impact on Teaching and Service/Other;
 - iii. A Teaching Dossier; and
 - iv. Any other information the candidate believes will be useful to the Review Committee.
- b) The Dean shall provide the documentation set out in Article 19.04 a) to the Review Committee.
- c) The candidate's Official File, excluding any disciplinary letters, shall be made available to the Review Committee.

19.05 The Continuing Appointment Assessment

- a) In addition to the documentation provided in 19.04 the members of the Review Committee will spend some time observing the candidate's Teaching activity as well as visiting the online components for courses and reviewing course materials.
- b) The Review Committee shall assess whether the candidate has satisfied the criterion for a Continuing Appointment in 19.01.
- c) All members of the Review Committee shall make a judgment in an unbiased manner and in conformity with the requirements of this Article.

- d) The Review Committee shall make its recommendation solely on the evidence before it and may recess to consider the evidence and whether additional information is required.
- e) If additional information is required, the Chair shall make a request to the candidate in writing. The candidate shall have five (5) Days from the date of the request to provide the additional information to the Chair.
- f) In the event of a proposed negative recommendation by the Review Committee, the Review Committee shall recess and provide the candidate with a written statement of specific reasons for the proposed recommendation, and an invitation to respond to the statement in writing within ten (10) Days, and at the candidate's option, orally. In the case of an oral response, the candidate shall have the right to have an Association representative present when making his/her presentation. The Review Committee shall have a final meeting to record its recommendation.
- g) The Review Committee shall produce a written recommendation. In the case of a negative recommendation, the Review Committee shall include its reasons in the written recommendation.
- h) The Dean shall provide the written recommendation of the Review Committee to the candidate and to the Provost normally by March 31. The Dean shall also provide the documentation from Article 19.04 a) and any additional information under Article 19.05 if applicable, to the Provost.
- i) The Provost shall consider the Review Committee's recommendation and the documentation and shall inform the candidate of his/her decision within ten (10) Days of receiving the Review Committee's recommendation.
- j) If the Provost's decision is positive, the candidate shall be granted a Continuing Appointment, effective July 1.
- k) After being granted a Continuing Appointment, the candidate's title shall be changed to "Senior Lecturer".

19.06 Appeal Process

- a) An unsuccessful candidate for Continuing Appointment under Article 19.05 i) may appeal the decision by writing to the Provost within ten (10) Days after being informed of the decision. The grounds of the appeal must be specific and must involve:

- i) an alleged violation of the Article 19 procedures; and/or
 - ii) an allegation that the candidate's Teaching and/or Service/Other has/have not been evaluated fairly.
- b) The Provost shall appoint an ad hoc Appeal Committee consisting of a tenured faculty member with the rank of Professor, other than the candidate's Dean, and two faculty members, one of which is a Senior Lecturer not on the original Review Committee.
- c) The Chair of the Appeal Committee shall arrange a meeting with the Committee to occur as soon as possible, normally within twenty (20) Days of the Appeal Committee being formed. The Appeal Committee shall meet with the candidate and his/her Dean. The candidate may invite a representative of the Association to attend.
- d) The Appeal Committee shall consider the evidence provided by the candidate in support of his/her appeal and review any documentation the Appeal Committee deems relevant.
- e) The Appeal Committee shall produce a written recommendation, including reasons, as soon as practically possible. A copy of the recommendation shall be provided to the candidate, his/her Dean and the Provost.
- f) The Provost shall consider the Appeal Committee's recommendation and shall inform the candidate of his/her decision within ten (10) Days. If the Provost's decision is positive, the candidate shall be granted a Continuing Appointment, effective July 1, and the candidate's title shall change to "Senior Lecturer".

19.07 Termination Date

- a) If the decision under Article 19.05 i) is negative then the candidate's appointment shall be terminated effective June 30.
- b) If the Provost's decision under Article 19.05 i) and/or in the case of an appeal, Article 19.06 f) has not been made by May 31st, the termination date in Article 19.07 a) shall be extended to the last day of the month after the month in which the Article 19.05 i) decision is made, and, in the case of an appeal, the Article 19.06 f) decision is made.
- c) A candidate who is denied a Continuing Appointment will receive an amount equal to his/her regular salary, as at June 30, each month during the three (3) months immediately following his/her termination date.

19.08 Grievance of Appeal Decision

- a) If a Continuing Appointment is ultimately denied after the processes of Article 19.06 have been exhausted, the Association may file a grievance on behalf of the candidate, commencing at Step 2 of Article 11 of the Grievance Process, within ten (10) Days of the Provost's decision under Article 19.06 f).
- b) The grounds of a grievance under Article 19.08 a) are limited to an allegation of a defect in the administration or processes of Article 19.06.
- c) Initiating a grievance does not extend the candidate's termination date. The continuing payment under Article 19.07 c) is not extended by the filing of a grievance under Article 19.08 a).
- d) A candidate who has submitted an appeal and/or a grievance under this Article shall be deemed to be a member of the Association during the time required for the purposes of the appeal and/or the grievance/arbitration process, despite the(se) process(es) extending beyond the candidate's termination date.
- e) An arbitrator appointed pursuant to an Article 19.08 a) grievance shall either deny the grievance or uphold it. If he/she upholds the grievance, he/she will be limited in remedy to quashing the decision of the Provost under Article 19.06 f) and a direction that a newly constituted Appeal Committee be appointed by the Provost to consider the appeal anew.
- f) An Appeal Committee constituted pursuant to an arbitrator's decision under Article 19.08 e) will receive all the documentation considered by the initial Review Committee, and a copy of the arbitrator's directions. This Committee will make a final and binding decision, to either award or deny a Continuing Appointment to the candidate, and report this decision in writing to the candidate, the Association, and the Provost.