**CAPE BRETON UNIVERSITY BOARD OF GOVERNORS BARGAINING PROPOSAL**

**\*TEACHING SCHOLAR PROPOSAL\* - Revised**

**August 9, 2022**

For a Collective Agreement

between

CAPE BRETON UNIVERSITY FACULTY ASSOCIATION (CBUFA)

and

BOARD OF GOVERNORS

CAPE BRETON UNIVERSITY

*Non-monetary proposal reserving right to further amend as circumstances warrant consistent with the duty to bargain*

**Employer Proposal – Teaching Scholar**

**Revised for August 9, 2022 based on discussions at the bargaining table.**

***\*NOTE*** ***Creation of Teaching Scholar category with Tenure Track and Continuing Track streams will necessitate further changes throughout the agreement to properly implement. The language in this proposal is presented to further the discussion and the Employer reserves the right to propose further language to update the agreement to reflect the creation of this new category.***

Articles included in this proposal:

* Article 23
* Article 35
* Article 18
* Article 33
* Article 27

**ARTICLE 23**

1. **BARGAINING UNIT**
   1. The "Bargaining Unit" shall consist of Faculty, Librarians, Laboratory Instructors, Nursing Practice Educators (NPE), Writing Centre Coordinator (WCC), Research Chairs, and Writing Centre Writing Advisors, provided the appointment is for greater than four (4) months. The fact that any person occupying any of the above positions is enrolled in a course(s) at the University or elsewhere shall not in any way affect her/his Bargaining Unit status.

23.1.1 Faculty:“Faculty" are persons whose primary employment responsibilities at the University are as full-time or regular part-time faculty members in the ranks of**:** ~~Lecturer, Assistant Professor, Associate Professor and Full Professor~~**.**

**Lecturer**

**Lecturer – Teaching Scholar Tenure Track**

**Lecturer – Teaching Scholar Continuing Track**

**Assistant Professor**

**Assistant Professor– Teaching Scholar Tenure Track**

**Assistant Professor– Teaching Scholar Continuing Track,**

**Associate Professor**

**Associate Professor– Teaching Scholar Tenure Track**

**Professor**

holding tenured, probationary tenure-track**, probationary Teaching Scholar Tenure Track, probationary Teaching Scholar Continuing Track** or limited term appointments of greater than four (4) months duration.

For greater certainty, regular part-time faculty members are persons, not engaged as ICAs (as noted below in Article 23.3) or on a limited term appointment, but who are employed on an ongoing basis, and whose primary employment responsibilities at the University are similar to those of full-time faculty members although, from time-to-time, their employment responsibilities may not include performing all of the responsibilities specified in clause 18.1 (General Employment Responsibilities Article) but their workload is less than that of full-time faculty members as specified in Article 27 (Faculty Teaching Workload).

**ARTICLE 35**

**35 FACULTY APPOINTMENTS**

**35.1 General**

35.1.1 With the exception of those appointed to positions specified in clause 35.7 all faculty Member appointments shall be to one of the following ranks: ~~Lecturer, Assistant Professor, Associate Professor or Professor.~~

**Lecturer**

**Lecturer – Teaching Scholar Tenure Track**

**Lecturer – Teaching Scholar Continuing Track**

**Assistant Professor**

**Assistant Professor– Teaching Scholar Tenure Track**

**Assistant Professor– Teaching Scholar Continuing Track,**

**Associate Professor**

**Associate Professor– Teaching Scholar Tenure Track**

**Professor.**

**35.1.1.1 Tenure track or tenured Teaching Scholar appointments shall not exceed 10% of ~~the~~ faculty. In addition, no department shall have more than two (2) Tenure Track Teaching Scholar appointments, unless agreed upon by the Employer and the Association.**

**This percentage (10%) shall not include any Members who may voluntarily opt to switch to the Teaching Scholar stream. It also excludes any continuing track or continuing status Teaching Scholars appointed within programs determined to be high-risk.**

**35.1.1.2** **Teaching Scholar Continuing Track**

**Faculty member appointments may be made to the Teaching Scholar Continuing Track only in high-risk programs, defined as programs in which the percentage of international students enrolled exceeds thirty-five (35) per cent.**

**In addition, Teaching Scholar Continuing Track appointments:**

**(a) Shall only be made in Schools which are the home of programs defined as high-risk (and which primarily deliver the program); and**

**(b) Shall not exceed 18% of faculty.**

**35.1.1.3 For the purpose of determining the number of appointments permitted pursuant to Article 35.1.1.1 and Article 35.1.1.2, full-time or part-time academic administrators temporarily excluded from the bargaining unit as a result of their administrative appointment shall not be included in the number of faculty.**

**35.1.1.4** **Teaching Scholar Continuing Track appointments are not subject to Article 39. Members appointed to the Teaching Scholar Continuing Track may be dismissed in accordance with the provisions of Article 20, or where there has been a significant change in, or discontinuance of, the Member’s high-risk program. This will be determined by the Vice-President Academic and Provost and the Association shall receive the justification with all relevant documentation. A Teaching Scholar Continuing Track member whose employment is terminated other than pursuant to Article 20 shall receive for each year of continuous service, notice or pay in lieu of notice equivalent to three (3) weeks’ salary, to a maximum of twelve (12) months’ salary.**

35.1.2 Types of appointments under this Article shall be (to) full-time or regular part-time positions on a limited term, probationary-tenure track, **probationary Teaching Scholar Tenure Track, probationary Teaching Scholar Continuing Track,** or tenured basis.

* + 1. 35.1.3 All new faculty Members shall be appointed by Letter of Appointment as provided for in clause 35.10, issued by the President of the University.

35.1.4 No person possessing an earned Doctoral Degree shall be appointed below the rank of Assistant Professor unless hired in the capacity of Senior Lecturer, Lab Instructor, or Librarian. Individuals who are appointed to a probationary-tenure track, **probationary Teaching Scholar Tenure Track** or **probationary Teaching Scholar Continuing Track** position at the rank of Lecturer, a condition of whose appointment is the obtaining an earned Doctoral Degree in the discipline for which they were appointed, if they obtain such an earned Doctoral Degree within twelve (12) months of the start date of the appointment or by such other date as may be agreed at the time of the initial appointment, shall be then promoted to the rank of Assistant Professor.

35.1.5 (a) Except as provided for under Article 35.1.5 (b), appointments at a rank higher than that of Assistant Professor and/or tenured appointments, and appointments of Academic Administrators who are to be given rank and/or tenure shall only be made after materials are provided to PP&T referred to in Article 33 (Faculty Probation, Promotion and Tenure) to enable it to make a recommendation to the President on the appropriateness of granting such rank or tenure.

(b) The hiring committee may recommend to PP&T that a candidate be granted tenure and/or rank higher than Assistant Professor if the candidate has achieved such rank at another accredited university**, with the exception of Teaching Scholar Continuing Track appointments**.

35.1.6 In this Article, reference to ‘Department(s)’ shall, where appropriate, include ‘Cross Appointments in Departments in one or more Schools’.

35.1.7 In accordance with CBU’s Affirmative Action Agreement and in order to be consistent with their support for employment equity and diversity, the parties will make concerted efforts to encourage and promote the appointment in Departments of persons from minority groups or an under represented sex. In the evaluation of candidates for appointment, concerted efforts will be made to ensure that processes, procedures and criteria do not systematically discriminate against women or minority groups. In accordance with the CBU’s Affirmative Action Agreement, CBU will develop a specific Affirmative Action Plan. CBUFA may have representation on the committee to develop the Affirmative Action Plan for the purpose of developing specific processes and procedures to give effect to the foregoing general statements of intent. Until the Affirmative Action Plan is developed, the foregoing will not create any specific rights or obligations.

**35.2 Advertising**

35.2.1 All faculty vacancies within the bargaining unit shall be posted internally on the CBU web page.

35.2.2 Subject to 35.2.5, vacancies for full-time limited term appointments of four (4) months or less, shall be advertised locally. Other forms of advertising for such positions are not precluded.

35.2.3 Subject to 35.2.5, full-time faculty vacancies (probationary-tenure track**, probationary Teaching Scholar Tenure Track, probationary Teaching Scholar Continuing Track**, tenured and limited term appointments of greater than four (4) months duration) and regular part-time faculty vacancies shall be advertised locally, in the CAUT Bulletin, and in other appropriate national publications such as University Affairs. All probationary tenure-track**, probationary Teaching Scholar Tenure Track, probationary Teaching Scholar Continuing Track** and tenured appointments will normally be advertised in the fall semester; advertisements will indicate if budgetary approval is pending.Where appropriate, the advertisement may also be placed by electronic means, and otherwise, as the Director of Human Resources considers appropriate after consultation with the Chair of the Department where the vacancy exists and the relevant School Dean.

35.2.4 The advertisement shall state the Department (or Departments in the case of a cross-appointment) in which the appointment is to be made: rank or range of ranks at which the appointment is to be made; the Department; the anticipated type of appointment; the general qualifications and responsibilities, as well as more specific ones which are relevant; and that applications and supporting documents should be directed to the Director of Human Resources. The proposed final copy of the advertisement shall be forwarded for information to the Chair of the Department and be available in the Human Resources Department for members of the Department to review before it is submitted for publication. A copy of the advertisement and a statement of the publication(s) wherein it is to be placed shall be forwarded to the Association President at the same time as the advertisement is submitted for publication.

* + 1. 35.2.5 In exceptional circumstances, where the need for a limited term appointment arises on short notice and time and other operational constraints make national print advertising impractical, a vacancy in a full-time position may be filled for a maximum of one (1) academic year following local advertising and, where appropriate, electronic posting. Such circumstances include, but are not limited to, the death, disability, or sudden resignation of a full-time faculty Member, or such other circumstances as the Association President may agree are exceptional.

…

**35.5 Probationary-Tenure Track Appointments \*and Probationary Teaching Scholar Tenure and Continuing Track Appointments\***

35.5.1 The initial probationary appointment shall be for three (3) years normallycommencing on the first day of July or the first day of Januaryand terminating on the 30th day of June of the third year next following. In the second year of this initial appointment, the Committee referred to in Article 33 will conduct a review of the faculty Member’s progress pursuant to Article 33 (Faculty Probation, Promotion, **Continuing status** and Tenure). During the final year of this initial probationary appointment, a renewal application, if made, will be considered pursuant to Article 33.

35.5.2 If the initial probationary appointment is renewed, it shall be for a further two (2) years commencing on the first day of July and terminating on the 30th day of June of the second year next following. During the final year of this second probationary appointment, tenure or **continuing status** will be considered pursuant to Article 33.

35.5.3 In recognition of the unique challenges during the initial probationary contract of a probationary tenure-track academic appointment, a new Member appointed for the first time to a full-time, tenure-track position (including those previously hired on a part-time or limited term basis but excluding those hired as Lecturer **or Teaching Scholar Tenure or Continuing Track**), effective 28 February 2003, are eligible for the following:

1. Research Grant

The New Member will be eligible, upon application to the Dean of Research and Graduate Studies, for a one-time start-up research grant, paid by the Employer, of up to $10,000 which must be used within the first two years of employment. The purpose of this grant is to assist in the development of a research direction and such grant applications shall not be unreasonably refused. Funds allocated under this clause will be separate from and in addition to other internal research funds, including the annual research grants adjudicated by the RISE Committee of Senate. Once awarded, funds will be made available to the new Member immediately. Award of a start-up grant will not affect the new Member’s eligibility in any other internal grant application process.

1. Teaching Release

The new Member will be eligible for a teaching release of up to two (2) three-credit courses during the period of the initial probationary contract. The two (2) three-credit teaching releases shall not normally be taken during the same academic year. The new Member shall choose the terms in which the teaching releases are to be taken, subject to approval by the relevant School Dean.

Example: A new Member granted a teaching release of one (1) three-credit course in the first year of the Member’s initial probationary period will be eligible for a further teaching release of one (1) three-credit course in either the second or third year of the Member’s initialprobationary period, subject to the approval of the relevant School Dean.

If teaching release is granted, no additional credit hour teaching (overload), regardless of method of delivery, shall be undertaken.

**35.5.4** **\*Probationary Teaching Scholar Stream Appointments\***

**In recognition of the unique challenges during the initial probationary contract of a Teaching Scholar stream appointment, a new Member appointed for the first time to a full-time, tenure-track or continuing track position, effective 28 February 2023, is eligible for the following.**  
  
**The New Member will be eligible, upon application to the Vice-President Academic and Provost, for a one-time start-up scholarship of teaching and learning grant, paid by the Employer, of up to $2,000 which must be used within the first two years of employment. The purpose of this grant is to assist in the development of institutionally valuable direction in such scholarship and such grant applications shall not be unreasonably refused.**

**ARTICLE 18**

1. **GENERAL EMPLOYMENT RESPONSIBILITIES OF FACULTY MEMBERS**

18.1 Faculty Members **who hold a probationary tenure-track or tenured appointment** **(excluding those holding a probationary Teaching Scholar tenure-track appointment)** are expected to engage in:

(a) Teaching:

This shall be teaching, conduct of laboratories (as provided in Article 27), and academic advising;

(b) Research/creative/scholarly activities:

This shall be scholarly work, such as applied and basic research (as provided in Articles 31 and 33);

(c) Service to the University:

This shall be participation in work at the Department, School, or University wide levels in such things as committee**, Senate** and like work (as provided in Article 33)**, and the Employer may request that Faculty Members provide service in particular areas of need**;

(d) Community and Professional Service:

This shall be activities that are grounded in a faculty Member's special field of knowledge, other contributions to the faculty Member's profession (as provided in Article 33), performance in an extra-academic field, and appropriate contributions to the community at large.

These activities are expected for probationary-tenure-track and tenured faculty Members as well as limited term faculty Members in the bargaining unit as specified in Article 35 and who have an employment contract of 8 months or longer. Part-time and limited term faculty Members in the bargaining unit are primarily expected to concentrate on teaching.

**A Member who holds a probationary tenure track, tenured appointment or continuing status appointment in the Teaching Scholar streams shall have teaching as their primary area of Academic Responsibility. They shall have Academic Responsibilities in the areas named in (a), (c) and (d) above. There will be no requirement to engage in research; however, they are expected to engage in scholarship activities, which broaden the scope of their educational responsibilities, and to share this expertise with their colleagues. Such scholarship activities may include curriculum development and evaluation, mentoring, and contributions to the scholarship of teaching and learning. The above may be specified by written agreement between the Member and the Employer or such written agreement may specify a different set of responsibilities. Any such agreement shall be consistent with the provisions of this Collective Agreement, and a copy shall be sent to the Association.**

* + 1. Accountability for one’s professional activities can be expressed in many ways. However, better understanding of professional activities is achieved through a minimum of common denominators in the reporting mechanisms. A “Teaching Assignment and Faculty Professional Activities Report” (Appendix B) is to be used as a template which outlines minimum reporting requirements for Faculty Members. This report is to be completed annually with a copy submitted electronically to the Dean’s Office. The Dean’s Office will forward the final electronic copy to Human Resources with a copy to the Member to be included in the Member’s personnel file. The TeachingAssignment and Faculty Professional Activities Report is meant to help make the Dean become aware of the activities the faculty member is involved in and promote positive discussion related to career development. Such report will not be used in a disciplinary manner.

**Given that research is not a requirement for the Teaching Scholar, Section (b) of the Teaching Assignment and Faculty Professional Activities Report is optional for faculty appointed to Teaching Scholar streams.**

* 1. **Teaching**

Faculty are required:

(a) to maintain scholarly competence and effectiveness as teachers;

(b) to prepare and organize their teaching subject matter and revise that subject matter to maintain current relevance;

(c) to participate in teaching performance appraisals (as provided in clause 33.8.2 by encouraging students to participate in on-line or in-class evaluations);

(d) - to establish and publish office hours in accordance with Article 27 and be available for consultation with students during those hours;

- to supervise examinations, tests and other means of student assessment in sections of courses taught by the faculty Member;

- to be available for course assignment, course counseling and academic counseling as provided in Article 27.

the above activities shall be done in consultation with the faculty Member's Department Chair and Dean;

(e) to conduct their classes in accordance with all legal requirements, e.g. health and safety laws, and within the context of the principles of Academic Freedom (as provided in Article 12);

(f) to provide a course syllabus and to inform students of the methods of instruction and evaluation in their courses at the beginning of each term and to consult with students where circumstances cause changes to such methods of instruction and evaluation. The Dean shall be provided with electronic copies of such information, (including distance education courses, tutorials, and directed studies) and notified of any changes made during the term;

(g) to comply with all procedures and deadlines concerning the reporting, review or appeal of student grades;

(h) reschedule or cancel classes or laboratories only for good cause and, where possible, in keeping with Article 19.3 to give prior notification to the office of the faculty Member's Dean. In all cases where a class or lab is canceled, rescheduled, or if another Member is covering the class for a colleague, the Dean’s office must be notified of the change as soon as possible by the person who is responsible for that class. If possible, faculty shall also participate in giving their students notice of such change and shall make a reasonable effort to compensate for such missed class or laboratory in such manner as the faculty Member and his/her Dean considers appropriate;

(i) to be accessible during the examination period in which the Member teaches and the period leading up to Spring convocation;

(j) to fulfill their normal teaching load (as provided in Article 27).

**18.2.1** **The teaching responsibilities of Members who hold appointments in the Teaching Scholar streams include activities in the scholarship of teaching and learning and service related to educational leadership additional to those listed above (and as provided in 18.1 and 33.8.1.1)**

* 1. **Research/Creative/Scholarly Activities**

As provided for in Article 31 (Research Article), these activities involve basic or applied research, the creation of knowledge, the creative use of existing knowledge, the organization and synthesis of existing knowledge, or creative expressions such as music, art, or drama, in the faculty Member's area of expertise.

1. Faculty are expected to devote a reasonable portion of their time (as provided in Article 31) to research, scholarly or other creative activities, related to their area(s) of expertise.
   1. **Service to the University**

(a) Faculty have the responsibility to participate in work of the University (as provided in Article 33) through membership on appropriate bodies such as Senate and university-wide committees. **The Employer may request that Faculty Members provide service in particular areas of need.**

(b) Faculty Members have the responsibility to participate in the functioning of their Departments, Schools and the University (as provided in Article 33), including attendance at Department and School meetings. Such participation includes the development of content and other requirements for academic programs. **The Employer may request that Faculty Members provide service in particular areas of need.**

**18.4.1** **The service responsibilities of Members who hold appointments in the Teaching Scholar streams include activities in professional and collegial service related to teaching and institutional academic development and initiatives (as provided in 33.10.1)**

* 1. **Service to the Community and Profession (if applicable)**

Faculty are encouraged and expected to engage in community and professional service (where applicable). Such service, if it be of a lasting nature (greater than 6 months), must be reported to the faculty Member's Dean through the Teaching Assignment and Professional Activities Report. Such service includes participating in community activities, and activities of professional and academic organizations outside the University, where the faculty Member's academic and/or research interests and competencies form the basis for such participation.

* 1. **Faculty Members' Research Activities**

The above provisions will not be used in a punitive manner against those faculty Members who opt to remain on Schedule B and who were employed on or before 17 March 2000 whose research activities are not being currently maintained at the appropriate level, but this deficiency will be taken into account in the consideration of such faculty Members for tenure, promotion, or other matters covered by this Agreement where appropriate research is a factor required to be taken into account.

18.6.1 **Assessment of Research**

Each year commencing July 1, the School Dean and the Dean of Research and Graduate Studies, in consultation with the Vice-President, Academic and Provost, will consider the research record of each tenured faculty member and identify those Members who, given the stage of their career, are or are not active researchers. They will review the research output focusing on the last two years using ~~the Faculty Member’s CV, prepared in Senate-approved format, and~~ the Teaching Assignment and Professional Activities Report in making this determination. They will use the provisions of Article 31, Research and Article 33, Faculty Probation, Promotion and Tenure, as guidelines in conducting this assessment. The decision of the School Dean will be communicated to the Vice-President, Academic and Provost and the member including the rationale for this recommendation by August 31.

For the purpose of this exercise (i.e. the assessment of research), all tenured members will be considered unless the Member has opted to be excluded.

18.6.1.1 A Member who chooses not to submit **the Teaching Assignment and Professional Activities Report** ~~his/her CV (in the Senate-approved format)~~ will be assumed to be a non-researching faculty member and will be assigned a workload of teaching and service under 18.6.1.3 (b) below.

18.6.1.2 A Member may request that he/she be classified under 27.2.2.1. Such requests will not unreasonably be denied. Such requests shall be submitted to the School Dean, copied to the Department Chair no later than June 30. For those on Schedule B, this will continue to be in effect until such time as the Member requests in writing to the School Dean to be reconsidered.

18.6.1.3 The decision of the School Dean will be forwarded to the Member and the Vice-President, Academic and Provost. The decision will include one of the following:

(a) That the Member is currently an active researcher, given the stage of his/her career (for a period of one year).

(b) That the Member is not currently an active researcher, given the stage of his/her career (for the period on one year). The member will be encouraged to engage in appropriate research activities.

The Member will have 30 calendar days to appeal the findings. Such appeal will be submitted to the School Dean copied to the Dean of Research and Graduate Studies and the Vice-President, Academic and Provost. The Deans shall review and provide input to the Vice-President, Academic and Provost based on the additional material and/or information received. The final decision by the Vice-President, Academic and Provost will be forwarded to the Member copied to the Deans and the Department Chair no later than October 31.

* 1. **Timelines for Evaluation**

June 30 – all tenured faculty members shall submit a ~~CV and~~ Teaching Assignment and Faculty Professional Activities Report.

August 31 – School Dean provides decision to Member and Vice-President, Academic and Provost.

September 30 – Member may appeal decision of the Deans.

October 31 – Final decision of Vice-President, Academic and Provost communicated.

June 1 – Dean assigns workload in accordance with Member’s classification and in keeping with the process as outlined in Article 27.1 and 27.1.1.

**ARTICLE 33**

33 **FACULTY PROBATION, PROMOTION, ~~AND~~ TENURE \*AND**  **CONTINUING STATUS\***

***\*NOTE: As noted above, there will be further changes necessary to implement the Teaching Scholar category, and to integrate the Teaching Scholar with existing practices, which are not indicated in this proposal. The Employer reserves the right to present those further changes at a later date.***

33.1 **The Committee on Probation, Promotion, ~~and~~ Tenure \*and Continuing Status\***

33.1.1 The Committee on Probation, Promotion ~~and~~ Tenure, **and Continuing Status** (referred to in the balance of this Article as the “Committee”) exists for evaluation of teaching, research **(with the exception of Teaching Scholar streams)**, and service, pursuant to clauses 33.8, 33.9 and 33.10, **as applicable,** in all matters of review and renewal of probationary contracts, tenure (including appointments with tenure), **continuing status,** and promotion (including initial appointment at the ranks of Associate Professor and Full Professor) except as provided for under Article 35.1.5 (b).

33.3 **Procedures of the Committee**

33.3.1 A quorum of the Committee for each case on which it deliberates shall be the Committee’s full membership, reduced by any members excluded from a particular case by reason of conflict of interest, times 50%, plus two.

33.3.2 The Committee shall have access to the available minutes of the Committee proceedings for the three (3) Academic Years preceding the given year as well as the Department letter, the Candidate’s letters and the Dean’s letter related to a candidate’s previous review, renewal, tenure, **continuing status**, or promotion application provided such letters were submitted within the previous three (3) Academic years preceding the given year. Such minutes and letters will be made available by the President’s Office at the request of the Committee Chair.

33.3.12 In making its recommendation and/or providing feedback, the Committee shall have regard to the type of application, that is review, renewal, tenure**, continuing status**, or promotion. In assessing the three areas of teaching, research **(with the exception of candidates in the Teaching Scholar streams)**, and service pursuant to clauses 33.8, 33.9, and 33.10, the Committee shall make a specific finding on each of those **applicable** areas respecting the accomplishment of each candidate by using the ratings of (i) acceptable; (ii) unacceptable; (iii) excellent. A determination by majority vote will be made regarding the rating of each of the assessed areas and a record of these results shall be communicated to the candidate. The Committee shall make its recommendations based only on the criteria listed in this article.

33.3.13 In considering a recommendation for deferral, the Committee shall be satisfied that an individual may achieve minimum standards to become a candidate for tenure **or continuing status** at the conclusion of the deferral period. Candidates will normally be considered for a one year deferral. Only in the case of extenuating circumstances will a two-year deferral be justified. Extenuating circumstances shall be supported by evidence. Under extenuating circumstances, the candidate’s application may include a request that the Committee consider a deferral of one or two years. The Committee reserves the right to deny such request for deferral and will give consideration to deferral only after conducting a full review of the applicant’s tenure application.

33.4 **The Candidate**

33.4.1 (a) No later than September 15 of the Academic Year in which an application for renewal, promotion, **continuing status** or tenure is to be considered, the candidate (only faculty Members holding probationary tenure-track**, probationary Teaching Scholar Tenure Track, probationary Teaching Scholar Continuing Track** or tenured appointments are eligible to make an application under this Article) shall forward to the Office of the Vice-President, Academic and Provost, an electronic copy (in PDF format) of the application, and shall at the same time advise in writing the Dean(s) of the School(s) concerned that such application has been submitted. The Vice-President, Academic and Provost, will ensure access to the submitted documents will be provided to the Department, the Dean and members of PP&T Committee. It is the responsibility of the candidate to ensure that her/his application contains only complete and accurate information. Failure by the potential candidate to make the required application for renewal (see clause 33.11) or tenure (see clause 33.12) shall conclusively be deemed a resignation of her/his employment at the University effective the June 30 immediately following.

(b) In special circumstances, such as very serious illness, adoption or birth of a child, or in other situations where the candidate has been on approved leave of absence or is scheduled to take leave of absence, consideration will be given to

(i) relieving against strict compliance with the required application deadlines and/or

(ii) a request that the decision on renewal or tenure be deferred, and that mutually agreeable alternative dates be established including the date for final decision on tenure.

Such request shall be submitted to the Vice-President, Academic and Provost, copied to the appropriate School Dean, and be for a maximum of one year with a possible consideration for an additional year.

(c) By no later than May 30 of the year preceding the Academic Year in which mandatory consideration for renewal, **continuing status**, or tenure is to occur, the Office of the Director of Human Resources will notify in writing each Member who is eligible for such consideration.

(d) No member will be eligible to be granted tenure if completion of a doctoral degree is a condition of employment as stated in the letter of appointment and if the member has not successfully completed the doctoral degree. The member may request a deferral and shall submit a complete application under Article 33. The Committee will consider whether or not to recommend a deferral in accordance with provisions related to deferral under Article 33.

33.4.1.1 It is the responsibility of the candidate to provide complete and accurate documentary evidence as specified in 33.4.1.2.

33.4.1.2 In addition to dossiers required by Articles 33.8.1, 33.9 and 33.10, the candidate **(with the exception of candidates in the Teaching Scholar streams)** shall provide the following documents with the candidate’s application:

(a) an up-to-date curriculum vitae;

(b) a statement of his/her accomplishments and objectives in teaching, research/scholarly/creative activities, and service;

(c) a list of university level courses she/he is teaching or has previously taught;

(d) representative sample of books she/he has authored or edited, reviews or critical notices of these books, reprints of articles and reviews, and similar material of a scholarly or creative nature; and

(e) other relevant material which the candidate wishes to place before the Committee.

**33.4.1.3 In addition to dossiers required by Articles 33.8 and 33.10, candidates in the Teaching Scholar streams shall provide the following documents with the candidate’s application:**

1. **an up-to-date curriculum vitae;**
2. **a statement of their accomplishments and objectives in teaching and service;**
3. **a list of university level courses they are teaching or has previously taught;**
4. **representative sample of any work in, for example, the scholarship of teaching and learning, reports arising from academic service, and innovative teaching resources created;**
5. **other relevant material which the candidate wishes to place before the Committee.**

33.4.8 Following the Committee's deliberations on the candidate's response made by her/him pursuant to 33.4.6, or the meeting referred to in 33.4.7, the President of the University shall receive the final recommendation of the Committee, together with copies of the entire documentary record of proceedings of the Committee including, but not limited to, all reports, recommendations, correspondence and other documents exchanged between the candidate or any other person and the Committee, and any other document considered by the Committee in making its recommendation, no later than January 31 in cases of renewal**, continuing status** or tenure and no later than March 15 in cases of promotion. A copy of the recommendation shall be simultaneously received by the candidate.

33.5 **The Department**

33.5.1 **Procedures**

33.5.1.1 Whenever any of its members becomes a candidate for review, renewal, tenure, **continuing status** or promotion, the Department shall assess the member in respect of the requirements specified in clauses 33.7, 33.8, 33.9 **(with the exception of candidates in Teaching Scholar streams)**, 33.10 **(as applicable)**, 33.11, 33.12, 33.13, and 33.14 below.

33.5.1.2 A full-time faculty Member who holds a permanent appointment (See MOU at back of Agreement) and non-faculty members who are members of the bargaining unit and the department, probationary tenure-track appointments (not limited term appointments), **probationary Teaching Scholar Tenure Track appointments,** **probationary Teaching Scholar continuing track appointments** and who are members of the bargaining unit shall have a right to contribute to but not vote on the Department’s recommendation to the Committee. Only faculty Members who hold tenured **or continuing status appointments** **(including Teaching Scholar)** ~~and former tenured faculty members who hold Post Retirement Modified Workloads~~ shall have the right to contribute and vote on the Department’s recommendation to the Committee. **However, tenured and continuing status Teaching Scholar appointments may not vote on a candidate’s research record.** Administrators who hold tenured faculty appointment (other than those directly involved in PP&T process) may be invited by the Department to participate and vote. The Department Chair will be permitted to vote according to their Departmental By-laws. All above noted individuals must be present at the Department meeting in order to cast his/her vote.

33.5.1.3 Each candidate making application for review, renewal, **tenure, continuing status**, or promotion shall be given the opportunity to appear before the Department to speak to his/her application before the Department begins its deliberations.

33.5.2 The Department's recommendation to the Committee shall include a brief statement of the procedures followed that led to the recommendation and the Department's recommendation on the application that shall reflect only the requirements specified in clauses 33.7, 33.8, 33.9, 33.10, 33.11, 33.12, 33.13, and 33.14 below and reasons for that recommendation; and an indication that the recommendation was properly approved by the Department (i.e. which no formal defect or technical irregularity invalidates). The Department’s recommendation, must have due regard for the requirements of the aforesaid clauses, is required to contain the specific ratings of teaching, research **(with the exception of candidates in Teaching Scholar streams)** and service which the Committee is required to make pursuant to clause 33.3.12, and is to be an overall evaluation of the candidate’s teaching, research and service **or, in the case of candidates in the Teaching Scholar streams, teaching and service**. The Department shall make a recommendation only on the criteria listed in this Article.

33.5.3 The Chair of the Department shall forward the recommendation of the Department to the Chair of the Committee and the candidate by October 21 except for cases of review of a probationary contract (see clause 33.11). A copy of the recommendation shall be sent simultaneously to the candidate's Dean(s).

33.5.4 In the event that a Department does not have at least three (3) tenured members **(excluding tenured Teaching Scholars)** to conduct a review of the candidate, the **Vice President, Academic and Provost** and the Association in consultation with the candidate will put in place a proxy committee to assess the candidate.

**33.5.5** **To assist the committee in its deliberations on candidates (other than those in the Teaching Scholar streams)**, departments may prepare a “Statement Concerning Research in (Discipline)”. The statement will describe the research approach generally accepted within a discipline and its sub-disciplines, highlighting priorities generally accepted by faculty within those areas. The statement will refer to research within a discipline, as enacted in the CBU research context, but should not refer to any specific candidate’s research. The statement will discuss issues that might be pertinent to the committee’s deliberations in evaluating a candidate’s dossier, as an aide to Committee members who are unfamiliar with research in that discipline. Specific issues to be addressed may include: the priority placed on peer reviewed articles, books, conferences, public presentations, advocacy work, and other means of dissemination; differences among disciplines and sub-disciplines; qualitative and quantitative approaches; and any other issues that affect the evaluation of research dossiers within a discipline under this Article. Where it has been duly completed and accepted by the Department, the Employer, and the Association, the statement will be used by the Committee and by external referees (where applicable).

33.6 **The Dean**

33.6.1 The Dean shall forward a copy of her/his recommendation to the Chair of the Committee, and a copy to the candidate by November 7**.**

33.6.2 The Dean's recommendation shall reflect only the requirements specified in clauses 33.7, 33.8, 33.9, 33.10, 33.11, 33.12, 33.13, and 33.14 below and reasons for that recommendation. The Dean’s recommendation, must have due regard for the requirements of the aforesaid clauses, is required to contain the specific ratings of teaching, research and service which the Committee is also required to make pursuant to clause 33.3.12, and is to be an overall evaluation of the candidate’s teaching, research and service **or, in the case of candidates in Teaching Scholar streams, teaching and service**. The Dean shall make his/her recommendation only on the criteria listed in this Article.

33.7 **Requirements for Probationary Contract Review and Renewal, Tenure, \*Continuing Status\* and Promotion**

33.7.1 a) **With the exception of candidates in the Teaching Scholar streams**, **i**n assessing a candidate for purposes of probationary contract review or renewal, tenure, or promotion, the Committee, the Department and the Dean shall consider all of the following elements of a candidate's career:

* academic and/or professional qualifications;
* years of service at rank;
* teaching as referred to in Article 18.2 (referred to herein as “teaching”);
* research (pure or applied)/scholarly/creative activities as referred to in Article 18.3 (referred to herein as “research”); and
* service as referred to in Article 18.4 and 18.5 (referred to herein as “service”).

b) Ratings for the three assessment areas will be the standard ratings of excellent, acceptable and unacceptable. It is recognized that these terms will represent different levels of commitment and achievement commensurate with tenure and the various ranks of appointment (i.e. assistant, associate, full professor).

**33.7.1.1** **a)** **In assessing a Teaching Scholar candidate for purposes of probationary contract review or renewal, tenure, continuing status or promotion, the Committee, the Department and the Dean shall consider all of the following elements of a candidate's career:**

* **academic and/or professional qualifications;**
* **years of service at rank;**
* **teaching as referred to in Article 18.2 (referred to herein as “teaching”); and**
* **service as referred to in Article 18.4 and 18.5 (referred to herein as “service”).**

**b)** **Ratings for the two assessment areas of teaching and service will be the standard ratings of excellent, acceptable and unacceptable. It is recognized that these terms will represent different levels of commitment and achievement commensurate with tenure and the various ranks of appointment (i.e. assistant or associate professor). At each rank, Teaching Scholar candidates must demonstrate that assessments of teaching and service (referred to in Articles 33.8 and 33.10) include educational leadership sustained over the years and exercised within the institution and recognized by national standards.**

33.7.2 The Committee, the Department and the Dean shall consider that teaching, research and service are not mutually exclusive; that this clause does not purport to create three disjoint areas of accomplishment **for the candidates subject to it**. In assessing the balance among the three areas, consideration must also be given to Members whose appointment requires greater emphasis on research, i.e. Research Chairs, and the subsequent expectation of quantitative accomplishment in the other two areas.

**33.7.2.1** **For Teaching Scholar candidates, the Committee, the Department and the Dean shall consider that teaching and service are not mutually exclusive; and that this clause does not purport to create two disjointed areas of accomplishment for the candidates subject to it.**

33.7.3 In considering whether a Member should have ~~his/her~~ **their** probationary appointment renewed, the Committee, the Department, and the Dean shall:

(a) assess whether the candidate has met the criteria and required standards of accomplishment referred to in **the relevant** clauses **of** 33.7, 33.8, 33.9, 33.10, 33.11 and 33.14; and

(b) assess whether the candidate has satisfied ~~his/her~~ **their** general employment responsibilities as specified in Article 18.

33.7.4 In considering whether a Member should be promoted, the Committee, the Department, and the Dean shall:

(a) assess whether the candidate has met the criteria and required standards of accomplishment referred to in **the relevant** clauses **of** 33.7, 33.8, 33.9, 33.10, 33.13 and 33.14; and

(b) assess whether the candidate has satisfied ~~his/her~~ **their** general employment responsibilities as specified in Article 18.

33.7.5 In considering whether a Member should be granted tenure **or continuing status**, the Committee, the Department, and the Dean shall:

(a) assess whether the candidate has met the criteria and required standards of accomplishment referred to in **the relevant** clauses **of** 33.7, 33.8, 33.9, 33.10, 33.12 and 33.14; and

(b) assess whether the candidate has satisfied ~~his/her~~ **their** general employment responsibilities as specified in Article 18.

33.8 **Assessment of Teaching**

33.8.1 Each candidate will submit a teaching dossier as part of her/his application. The teaching dossier shall contain a statement of teaching philosophy describing the candidate’s objectives, beliefs, and values in order to demonstrate how her or his teaching activities reflect the espoused philosophy. For the purposes of this Article, evidence provided on the following will be considered when a faculty Member’s teaching and guidance of students is being assessed:

(a) calendar descriptions, course outlines, sets of goals and expectations, special features, interrelationship with other courses and program requirements;

(b) brief analytical description of classroom practices and techniques, laboratory components, and support materials;

(c) description of student evaluation, including a description of marking standards;

(d) course evaluation summaries and comments for all courses taught during the most recent five (5) consecutive years of teaching. Candidates with an interruption in the most recent five (5) years of teaching shall provide evaluation summaries and comments from the most recent five (5) years of teaching. Any candidate with fewer than five (5) years of teaching shall submit all evaluations summaries and comments from courses taught at CBU since the date of hire and may opt to include evaluations of courses taught elsewhere, to a maximum of five (5) years of teaching.

Such instruments will be consistent with any provision of this Collective Agreement:

(e) teaching practices and their evolution over time;

(f) supervision of honours and/or special topics students;

(g) supervision of students completing practica or graduate students;

(h) organization of field trips, laboratories or clinical practica;

(i) involvement in curriculum development and the development of new courses;

(j) innovation in teaching pedagogy as shown by, for example, the effective use of innovative teaching aids and techniques, or the development of instructional materials for use in the candidate’s own classes or elsewhere;

(k) publication or production of original materials related to teaching effectiveness, such as books, articles, films or recordings, or presentations on teaching at conferences;

(l) organization and direction of workshops on teaching techniques and teaching effectiveness; and

(m) formal recognition of teaching excellence through receipt of university, regional or national teaching awards.

(n) Academic advising and academic counseling consistent with Articles 27.2.7 and 18.1(a).

All faculty Members are subject to being assessed on those of the above items and in 33.8.2 that apply to their teaching activities. It is not the intention of the Parties that they comprise an exclusive, mandatory or exhaustive list, or that they must be given equal weight, or that other evidence be excluded.

**33.8.1.1 \*New\* Assessment of Contributions to Scholarship of Teaching and Learning**

1. **Disciplined-based scholarship relevant to the field in which the member teaches;**
2. **Participation at and contributions to academic conferences where pedagogical research and techniques are emphasized**
3. **Evidence that members has maintained mastery of their teaching discipline**

**A candidate in the Teaching Scholar stream is expected to make relevant contributions to scholarship of teaching and learning. Candidates in the Teaching Scholar streams must be assessed according to national standards and specific reference to how the teaching and learning environment at Cape Breton University has been enhanced.**

33.8.2 A course evaluation of each course Faculty Members instruct shall be conducted using the Senate approved Teaching Evaluation Instrument in accordance with the procedures of the Teaching Learning and Evaluation Committee of Senate and as approved by Senate. Courses with less than five (5) students registered shall not be evaluated unless requested by the Faculty Member. The Dean shall review the evaluation and follow up with the Faculty Member concerned as appropriate. The Member’s Department Chair will be provided with access to the evaluations. The evaluations will be deposited in the Faculty Member’s electronic personnel file in the office of the Director of Human Resources.

33.9 **Assessment of Research**

**Article 33.9 does not apply to Teaching Scholar Tenure Track or Teaching Scholar Continuing Track**

Each candidate will submit a research dossier as part of her/his application. The research dossier shall contain a statement of philosophy describing the candidate’s objectives, beliefs, and values in order to demonstrate how her or his research activities reflect the espoused philosophy. The onus is on the candidate to demonstrate the relevance of the material to the assessment process. For the purposes of this Article, evidence of the following will be considered in the assessment of an employee’s research:

(a) success in attracting funds in support of research;

(b) dissemination of the results of research activities pursuant to Article 31 (Research) through:

(i) presentations at scholarly or professional conferences, seminars, workshops, etc.;

(ii) publication in conference proceedings;

(iii) publication in refereed journals;

(iv) independent (not self) publication of monographs, book chapters, books, annotated bibliographies, concordances, case studies, created software and software documentation;

(v) invited lectures at other universities or institutes;

(vi) exhibitions of one’s own artistic creations;

(vii) independent (not self) publications of one’s own literary work and musical compositions;

(viii) participation in industrial or business policy formation, including, but not limited to, reports and briefs which are conducted on a paid or unpaid basis and that can be accessed for external review;

(ix) participation in public policy formation, including, but not limited to, reports policy analysis papers, and briefs which are conducted on a paid or unpaid basis and that can be accessed for external review;

(x) independent (not self) publication of electronic documents and multi-media productions;

(xi) direction of plays;

(xii) publication of policy papers related to professional practice;

(xiii) evaluative reports of practice demonstration projects including recommendations for future implementation, consistent with Article 31.3.3.

(c) awards or other recognition for research or creative activity, e.g., research awards; and

(d) being selected to evaluate the work of other academics and professionals by, for example, serving on grant selection committees, serving as an external program evaluator, editing journals, reviewing articles for publication, reviewing grant applications, serving as examiners or on juries adjudicating artistic works.

(e) being selected due to expertise for professional consultation to external groups/organizations.

(f) development of a new interdisciplinary program to improve the health and well-being of society and dissemination of the same.

It is not the intention of the parties that all of the above items necessarily apply to all faculty Members, or that they comprise an exclusive, mandatory, or exhaustive list, or that they must be given equal weight, or that other evidence be excluded. Other evidence of accomplishment in research/scholarly/creative activities not listed above may be included in the research dossier and will be considered by the Committee.

33.10  **Assessment of Service**

Each candidate will submit material describing the service dossier of his/her application. The onus is on the candidate to demonstrate the relevance of the material to the assessment process. For the purposes of this Article, evidence of the following will be considered when a faculty Member's service to the University, Community, and Professional service as specified in Article 18.4 and 18.5 is being assessed:

(a) administrative positions held, committee work and any special contributions to the administrative work of the Department, School or the University;

(b) participation in professional, disciplinary, academic, or administrative organizations or associations, including such things as positions held, committee memberships, conferences/projects organized or administered, etc.;

(c) service to the community at large which has relevance to the candidate’s disciplinary or scholarly expertise;

(d) service to the Association.

It is not the intention of the parties that all of the above items necessarily apply to all faculty Members, or that they comprise an exclusive, mandatory, or exhaustive list, or that they must be given equal weight, or that other evidence be excluded. Other evidence of accomplishment in service activities not listed above may be included and will be considered by the Committee.

**33.10.1** **\*New\*** **Assessment of Professional and Collegial Service related to Teaching and**  **Institutional Academic Development and Initiatives**

**Article 33.10.1 applies to Candidates in the Teaching Scholar streams.**

1. **Sustained contributions to academic program development (new programs or redevelopment of existing programs).**

1. **Contributions to programming offered by the Centre for Teaching & Learning (CTL) and other academic assistance to CTL activities.**
2. **Sustained participation in academic initiatives of strategic importance to the university.**
3. **Contributions to regional and national associations, bodies, journals, conferences, etc. devoted to post-secondary education or pedagogical innovation.**

**Contributions specified in this Article may be documented by any candidate but all candidates in Teaching Scholar streams are expected to make relevant contributions.**

33.11 **Probationary Contracts: Review and Renewal**

33.11.1 Review

33.11.1.1 Each ongoing probationary appointment shall be reviewed upon completion of the first full year of teaching. After a full academic teaching year (two terms), the relevant Dean will contact the candidate in writing to provide notification of the review process, with a copy to the Department Chair. Both the Dean and the Department Chair will be available to provide advice to the Candidate in preparing the application for review. The candidate must submit an electronic application (in PDF format) for review to the office of the Vice-President, Academic and Provost, by September 15 following the first full year of the employment contract. Either Chair of the Department or the Chair of PP&T may request additional information or clarification on the candidate’s teaching, research **(with the exception of candidates in the Teaching Scholar streams)** and service to aid in the deliberations of the Committee and the Department.

33.11.1.2 The candidate shall receive from her/his Department Chair a written account of the Department’s review of the candidate’s application no later than October 21 following the first full year of teaching. The Chair of the Department shall send a copy of the review to the Chair of the Committee and to the Dean at the same time.

33.11.1.3 The candidate shall receive from her/his Dean a written account of the Dean’s review of the candidate’s application no later than November 7 following the first full year of teaching. The Dean shall send a copy of the review to the Chair of the Committee.

33.11.1.4 The candidate shall receive from the Committee a written account of its review no later than November 15 following the first full year of teaching. A copy shall also be sent to the relevant Department and Dean and to the President of the University.

Example: a faculty Member in a probationary tenure-track position with a contract start date of 1 January 2013 or 1 July 2013 would submit an application for review by 15 September 2014. The Department must submit a copy of the review to the candidate and PP&T Committee by 21 October 2014. The PP&T Committee must complete its written account of the review no later than 15 November 2014. The candidate would apply for renewal by 15 September 2015.

33.11.1.5 The candidate shall provide the following documents with the candidate’s application:

* 1. an up-to-date curriculum vitae;
  2. a brief statement of his or her accomplishments and objectives in teaching, research/scholarly/creative activities **(except for candidates in Teaching Scholar streams)**, and service;
  3. a list of University level courses s/he is teaching or has previously taught;
  4. student evaluations and/or other instruments used to evaluate courses taught;
  5. a list of publications and presentations;
  6. other relevant material which the candidate wishes to place before the Committee.

33.11.1.6 If the candidate fails to provide the materials in 33.11.1.5 in a timely manner, he/she will provide a letter to the Dean with a copy to the Chair of PP&T indicating the reason(s) why a review was not undertaken. The letter will be read into the committee minutes and retained as per Article 33.2.5.

33.11.2 **Renewal**

33.11.2.1 To be considered for renewal, a faculty Member who is eligible must apply in writing no later than 15 September.

33.11.2.2 An initial probationary contract shall be of three years duration. The maximum term in a probationary status shall normally be five years. See Article 33.4.1.

33.11.2.3 Consideration for renewal of a probationary appointment shall occur during the final year of the initial contract term. The Committee, the Department, and the Dean, shall make their recommendations based only on the criteria specified in this Article.

33.11.2.4 **With the exception of candidates in the Teaching Scholar streams, a** ~~A~~ recommendation that renewal be granted shall require a rating from the Committee of at least acceptable in both areas of teaching and research. No candidate with a rating of unacceptable from the Committee in either teaching or research shall be recommended for renewal.

33.11.2.5 **With the exception of candidates in the Teaching Scholar streams, t**~~T~~he Committee will provide feedback on the candidate’s service instead of a rating. Such feedback will make clear to the Candidate the expectation that service must evolve during the probationary period.

**33.11.2.6 In the case of candidates in the Teaching Scholar streams, a recommendation that renewal be granted shall require a rating from the Committee of at least acceptable in both areas of teaching and service. No candidate with a rating of unacceptable from the Committee in either teaching or service shall be recommended for renewal.**

33.11.2.~~6~~**7** The President of the University shall make her/his decision based only on the criteria specified in this Article and shall inform the candidate of her/his decision on renewal no later than March 15 of the Academic Year of the candidacy, pursuant to the timetable in clause 33.18.

33.12 **Tenure \*Teaching Scholar Tenure & Teaching Scholar Continuing Status\***

33.12.1 To be considered for tenure **or continuing status**, a faculty Member who is eligible must apply in writing no later than 15 September. Provisions related to timeliness of application and deferral are also covered in articles 33.3 and 33.4.

33.12.2 On completion of five years at rank at the University where teaching and research are required, a faculty Member on a tenure-track **or continuing track** appointment may be granted tenure **or continuing status** with the exception of applications under clause 33.12.5. Mandatory consideration shall take place during the fifth year of actual service at rank at the University except in the case where the candidate was approved for a deferral of one or two years.

33.12.3 The Committee shall recommend one of the following: (a) tenure **or continuing status** be granted; (b) decision on tenure **or continuing status** be deferred for one (1) year or two (2) years, at which time a definite decision must be made, or (c) be denied. The Committee’s recommendation for tenure **or continuing status** can be deferred for no more than two years.

33.12.4 **With the exception of candidates in the Teaching Scholar streams, a** ~~A~~ recommendation that tenure **or continuing status** be granted shall require a rating from the Committee of at least acceptable in teaching, research and service.

An earned doctoral degree is the preferred qualification to achieve tenure **or continuing status**. In the absence of an earned doctoral degree, the Committee will consider whether there is a body of research sufficient to compensate for the absence of the doctoral degree**, or in the case of Teaching Scholar stream candidates, whether there are sufficient qualifications and experience to compensate for the absence of the doctoral degree.** Recognition of research will include published research outputs which have been conducted as part of a doctoral study. The candidate will be expected to take advantage of supports designed to advance his/her qualifications to the doctoral level, e.g. education leave, course reduction, etc. within the parameters outlined in the Collective Agreement.

33.12.5 On application by the candidate, consideration for tenure may take place during the probationary period at an earlier time than specified in 33.12.2 but no earlier than in the fourth year of the candidate’s employment at rank at the University where both teaching and research were required.

**Faculty in the Teaching Scholar streams may not apply for early tenure or continuing status.**

33.12.5.1 In the event of an early application for tenure, the Committee shall either recommend to grant tenure, or, by failing to do so, recommend to defer a decision on tenure until the candidate reapplies or until mandatory consideration as noted in Article 33.12.2 during her/his fifth year of actual service at the University.

33.12.5.2 In cases of early application for tenure, the Committee, the Department, and the Dean, shall make their recommendations based only on the criteria specified in this Article. **~~With the exception of Teaching Scholar candidates~~**~~,~~ ~~t~~**T**he candidate must obtain a rating of excellent in two of teaching, research and service and acceptable in the third.

33.12.6 The President of the University shall make her/his decision based only on the criteria specified in this Article, and shall inform the candidate of her/his decision on tenure **or continuing status** no later than March 15 of the Academic Year of the candidacy, pursuant to the timetable in clause 33.18.

33.12.7 If the President's decision is to deny tenure **or continuing status** and that decision is communicated to the candidate by the later of March 15 or the date which is thirty (30) days after the President receives the recommendations of the Committee, Department and the Dean, the candidate's appointment will terminate effective the June 30 immediately following such decision.

33.12.8 If the President's decision is to deny tenure **or continuing status**, and that decision is communicated to the candidate after the later of March 15 or the date which is thirty (30) days after the President receives the recommendations of the Committee, Department and the Dean, the candidate shall be awarded a further one-year limited-term contract, commencing at the end of the probationary period. The candidate’s appointment will terminate at the end of that limited-term contract.

33.12.9 Notwithstanding 33.12.8, the University may choose to pay the candidate an amount equivalent to one-half of the salary and benefits that would have been paid to him/her pursuant to 33.12.8, less required deductions, in lieu of the limited term appointment provided in 33.12.8.

33.13 **Ranks and Promotion**

33.13.1 Subject to clause 33.3.7, the University recognizes four ranks with the following conditions and qualifications required for each.

33.13.1.1 ***Lecturer, \*Lecturer – Teaching Scholar Tenure Track, Lecturer – Teaching Scholar Continuing Track\****

A Lecturer is a faculty Member who shall have the following minimum qualifications:

(a) A Master’s degree or professional accreditation equivalent to a Master’s degree, or shall have completed all of the requirements for a PhD but for an unfinished dissertation.

33.13.1.2 ***Assistant Professor\*Assistant Professor – Teaching Scholar Tenure Track, Assistant Professor – Teaching Scholar Continuing Track\****

An Assistant Professor is a faculty Member who shall ordinarily have the following minimum qualifications:

(a) A doctoral degree from an accredited University;

The doctoral requirement may be waived if the candidate has a Master’s degree and ha**s** at least three (3) years experience at the post-secondary level in positions where both teaching and research are required.

33.13.1.3 ***Associate Professor\*Associate Professor – Teaching Scholar Tenure Track\****

An Associate Professor is a faculty Member who shall ordinarily have the following minimum qualifications:

(a) A doctoral degree from an accredited University.

(b) A minimum of five (5) years at the rank of Assistant Professor at an accredited university.

33.13.1.4 Professor

A Professor is a Member of the faculty of the University who, in addition to meeting the minimum qualifications specified in 33.13.1.3, has a minimum of ten (10) years of experience at the rank of Associate Professor. Application for promotion to the rank of Professor may be made in the 10th year of service as Associate Professor.

33.13.2 **With the exception of candidates in the Teaching Scholar streams, a** ~~A~~ candidate for promotion to the rank of Assistant Professor who meets the qualifications specified in 33.13.1.2 must have received a minimum rating of acceptable in all of the three areas described in clauses 33.8, 33.9, and 33.10. **Candidates in the Teaching Scholar streams who meet the qualifications specified in 33.13.1.2** **must have received a minimum rating of acceptable in both areas described in clauses 33.8 and 33.10.**

33.13.3 **With the exception of candidates who are tenure track or tenured Teaching Scholars, a** ~~A~~ candidate for promotion to the rank of Associate Professor who meets the qualifications specified in 33.13.1.3 must also satisfy the condition that ~~he/she~~ **they** receive~~s~~ a rating of excellent in either teaching or research, and a rating of acceptable in the other area and in service. **Candidates in the Teaching Scholar streams who meet the qualifications specified in 33.13.1.2** must also satisfy the condition that they receive a rating of excellent in either teaching or service, and a rating of acceptable in the other area.

33.13.4 A candidate for promotion to the rank of Full Professor who meets the qualifications specified in 33.13.1.4 must also satisfy the condition that he/she receives a rating of excellent in at least two of the areas of teaching, research and service, and have received a rating no less than acceptable in the third of these three areas.

33.13.5 To be considered for promotion, a faculty Member who is eligible, must apply in writing no later than 15 September.

33.13.6 Re-application for promotion to the ranks of Assistant and Associate may be made annually, but only every two years for promotion to the rank of Professor

33.13.7 Notwithstanding any other clauses of this Article, a faculty Member with fewer than the normal required number of years of service may be promoted, provided s/he notifies the Committee before 15 September that she/he will be applying under this clause for special early consideration for promotion and provided:

(a) in the case of promotion to the rank of Associate Professor, s/he will apply no earlier than in her/his third year of employment with the Employer in the rank of Assistant Professor and she/he receives ratings of excellent in two (2) of teaching, research and service and a minimum of acceptable in the third.

E.g. A Member who holds a probationary tenure-track position as Assistant Professor for the period 1 July 2013 to 30 June 2018 can apply for promotion to Associate Professor no earlier than 15 September 2015. Such promotion, if granted, will be effective 1 July 2016.

(b) in the case of promotion to the rank of Full Professor she/he will apply no earlier than in her/his fifth year of employment with the Employer in the rank of Associate Professor and the Committee decides unanimously that his/her work satisfies the condition s/he receives ratings of excellent in two (2) of teaching, research and service and a minimum of acceptable in the third.

E.g., A Member who was promoted to the rank of Associate Professor effective 1 July 2013 can apply for promotion to Professor no earlier than 15 September 2017. Such promotion, if granted, will be effective 1 July 2018.

A candidate for Associate Professor whose application for early promotion has been denied may reapply until eligible for normal-time promotion under this clause and a candidate for Full Professor whose application for early promotion has been denied may re-apply every two (2) years until eligible for normal-time promotion under this clause.

**ARTICLE 27**

**27 FACULTY TEACHING WORKLOAD**

…

27.2.2 **Standard Teaching Assignment**

The teaching assignment for each full-time faculty Member**,** excluding **both** those hired at the rank of Lecturer **and those hired in the Teaching Scholar category,** shall be 15 course credits per year or the equivalent. The teaching assignment for each full-time faculty Member hired at the rank of Lecturer shall be 18 course credits per year or the equivalent. **The teaching assignment for each full-time faculty Member hired in the Teaching Scholar streams (regardless of rank) shall be 24 course credits per year or the equivalent.** One 3-hour lab~~s~~ with a distinct preparation is the equivalent of a 3-credit course. A 3-hour lab without a distinct preparation is the equivalent of one half of a 3-credit course. For example, one course and the lab associated with the course shall be equivalent to six (6) course credits in any one term. One course and two labs associated with the course shall be equivalent to seven and one half (7.5) course credits in any one term. No Member shall be required to teach more than nine (9) course credits in any one term, unless a minimum of six (6) of those course credits are labs.

27.2.2.1 **Modified Teaching Assignment**

1. The teaching assignment for a full-time Faculty Member who is classified as per Article 18.6.1.3 (b) shall be**:**
   1. 18 course credits per calendar year or the equivalent except as modified by Article 27.2.3~~.~~**; or**
   2. **15 course credits per calendar year except as modified by Article 27.2.3 and service as agreed to by the Vice-President, Academic and Provost.**

One 3-hour lab with a distinct preparation is the equivalent of a 3-credit course. A 3-hour lab without a distinct preparation is the equivalent of one half of a 3-credit course. For example, one course and the lab associated with the course shall be equivalent to six (6) course credits in any one term. One course and two labs associated with the course shall be equivalent to seven and one half (7.5) course credits in any one term. No Member shall be required to teach more than nine (9) course credits in any one term, unless a minimum of six (6) of those course credits are labs.

27.2.3 **Teaching Releases**

27.2.3.1 Teaching releases will be made for Members in the following positions:

**\*NEW\* (h)** **With the agreement of an individual faculty Member, the Member’s Department Chair, and the Member’s School Dean and subject to the approval of the Vice-President, Academic and Provost, Members who are Teaching Scholars may be granted a teaching assignment release of three (3) credits for participation in institutionally significant, teaching related service projects or initiatives.**