

Memorandum

Office of the Provost

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TO: Senate

FROM: Lydia White, Associate Provost (Policies, Procedures & Equity)

SUBJECT: Revisions to Regulations Relating to the Employment of Librarian Staff

DATE: September 4, 2013

DOCUMENT #: D13-03

ACTION REQUIRED: INFORMATION APPROVAL/DECISION

ISSUE: The *Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff* were approved by Senate and the Board of Governors in May 2012. Related changes need to be made to the *Regulations Relating to the Employment of Librarian Staff*, so that time constraints are consistent for all academic staff. Changes involving certain dates are proposed.

BACKGROUND & RATIONALE: 1. The *Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff* specify that staff members must make requests for a delay of reappointment consideration because of an authorized leave within The

Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff specify that the Provost's decision regarding delay of reappointment consideration shall be confirmed no later than 2 months prior to the beginning of the staff member's year of reappointment consideration. In the *Regulations Relating to the Employment of Librarian Staff*, the Provost's decision regarding the delay of reappointment consideration shall be confirmed no later than 45 days following receipt of the librarian's request. It is proposed to change the requirement for librarians, so that they receive a response from the Provost no later than 2 months prior to the year of reappointment consideration.

3. The *Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff* specify that June 1st of the year of tenure consideration is the date by which tenure track academic staff must inform the Provost if they elect to defer tenure consideration because of an authorized leave. In the *Regulations Relating to the Employment of Librarian Staff*, this date is still August 31st. It is proposed to change this date to June 1st.

4. The *Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff* specify that August 15th of the year of tenure consideration is the date by which the chair of the UTC shall forward a copy of the ranked list of external evaluators to the Secretary-General, with a copy to the candidate and the Chair of the department. In the *Regulations Relating to the Employment of*

Librarian Staff, this date is September 1st. It is proposed to change this date to August 15th.

5. Section 2.1.4 of the *Regulations Relating to the Employment of Librarian Staff* states: ‘All definite term tenure track appointments and reappointments of staff members shall be made to expire on May 31’. It is proposed to delete this provision, which is inflexible, and leads to inequities in the length of the initial appointment and in the year of reappointment consideration. There is no such provision in the *Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff*.

6. Section 6 of the *Regulations Relating to the Employment of Librarian Staff* relates to Emeritus and Retired status. This section has been replaced by the recently approved *Regulations on Retirement of Academic Staff*. Consequently, it should be removed.

MOTION:

Be it resolved that:

1. Section 2.3.5.2 shall read: The staff member shall request such consideration in writing to the Provost within 3 months prior to the beginning of the staff member’s year of reappointment consideration. The Provost shall confirm approval of such an extension no later than 2 months prior to the beginning of the staff member’s year of reappointment consideration.
2. Section 3.4.3. The words ‘no later than August 31 of the year of consideration’ be replaced by ‘no later than June 1 of the year of consideration’.
3. Section 3.32.10. The words ‘by September 1 of the year of consideration’ shall be replaced by ‘by August 15 of the year of consideration’.
4. Section 2.1.4 shall be deleted.
5. Section 6 shall be deleted.

**PRIOR
CONSULTATION:**

Libraries; MAUT-LS

NEXT STEPS:

Board of Governors

APPENDICES:

Appendix A. *REGULATIONS RELATING TO THE EMPLOYMENT OF LIBRARIAN STAFF*

1.2.9 “Statutory Selection Committee” means the committee established in accordance with article 3.4.3 of the *Statutes*.

1.2.10

SECTION 2: APPOINTMENT AND REAPPOINTMENT OF TENURE TRACK LIBRARIAN STAFF

General

- 2.1.1** Staff members on definite or indefinite term tenure track appointments in the McGill University Libraries shall be only those who are so designated in their official letter of appointment.
- 2.1.2.1** Subject to Section 2.1.2.2, all definite term tenure track appointments shall be made by the Provost upon the recommendation of the Director or Dean of Libraries who, prior to making such recommendation, shall have consulted a selection committee.
- 2.1.2.2** All tenure track appointments of staff members
- (i) to indefinite term appointments; or
 - (ii) to the rank of full librarian whether to a definite term or an indefinite term;
- shall be made by the Board of Governors upon the recommendation of the Principal who, prior to making the recommendation, shall have consulted the University Tenure Committee for Recruitment in accordance with the provisions of Sections 3.53 through 3.57.
- 2.1.3** Where a tenure track staff member is to be appointed in her or his official letter of appointment to a faculty or department as well as to the McGill University Libraries, the Director or Dean of Libraries and the respective dean and, if appropriate, departmental chair, shall jointly recommend the appointment to the Provost.
- 2.1.4** All definite term tenure track appointments and reappointments of staff members shall be made to expire on May 31.
- 2.1.5** A staff member who has been granted tenure pursuant to Section 3 shall be appointed on indefinite term.
- 2.1.6** A staff member who has been denied tenure upon mandatory consideration for tenure may be reappointed for a terminal year.

TERMS OF APPOINTMENT AND REAPPOINTMENT

Assistant Librarian

- 2.2.1** An assistant librarian appointed on tenure track shall be initially appointed on a definite term appointment of at least three (3) years but less than four (4) years.
- 2.2.1.1** An assistant librarian appointed on tenure track may be reappointed at this rank for additional definite term appointments of not less than one (1) year and not more than four (4) years provided that, subject to Sections 2.3.5.1 through 2.3.5.4, 5.4.1 and 5.4.2, the appointment and reappointments shall not exceed in aggregate seven (7) years.
- 2.2.1.2** No later than the sixth (6th) year as an assistant librarian on tenure track, the staff member shall be considered for tenure and promotion to associate librarian in accordance with the provisions of Section 3.

Associate Librarian

- 2.2.2** An associate librarian appointed on tenure track shall be initially appointed
- (i) on a definite term appointment of at least three (3) years but less than four (4) years; or
 - (ii) on indefinite term with tenure.
- 2.2.2.1** An associate librarian appointed on tenure track may be reappointed at this rank for additional definite term appointments of not less than one (1) year and not more than three (3) years provided that, subject to Sections 2.3.5.1 through 2.3.5.4, 3.4.1 and 3.4.2, the appointment and reappointments shall not exceed in aggregate six (6) years.
- 2.2.2.2** No later than the fifth (5th) year as an associate librarian on tenure track, the staff member shall be considered for tenure in accordance with the provisions of Section 3.

Full Librarian

- 2.2.3** A full librarian appointed on tenure track shall be initially appointed
- (i) on a definite term appointment of at least five (5) years but less than six (6) years; or
 - (ii) with tenure.
- 2.2.3.1** Subject to Sections 2.3.5.1 through 2.3.5.4, 3.4.1 and 3.4.2, no later than the fourth (4th) year as tenure track full librarian the staff member shall be considered for tenure in accordance with the provisions of Section 3.

REAPPOINTMENT OF TENURE TRACK LIBRARIAN STAFF

Criteria for Reappointment

- 2.3.1** The McGill University Libraries shall establish written criteria for the reappointment of assistant librarians and associate librarians appointed to definite term tenure track appointments. The criteria shall provide staff members with guidance in anticipation of meeting the requirements for reappointment and tenure.

2.3.6.5 Where the Director or Dean of Libraries is tending towards agreeing with a negative recommendation of the reappointments committee, she or he, prior to reaching her or his recommendation, shall:

- (i) notify the staff member in writing that she or he is so tending;
- (ii) provide the staff member with written reasons; and
- (iii) provide the staff member with an opportunity to appear before her or him accompanied by an advisor if she or he so wishes.

2.3.6.6 Where the Provost is tending towards disagreeing with a positive recommendation of the Director or Dean of Libraries, the Provost, prior to reaching her or his decision, shall:

- (i) notify the staff member and Director or Dean of Libraries in writing that she or he is so tending;
- (ii) provide the staff member and the Director or Dean of Libraries with written reasons; and
- (iii) provide the staff member with an opportunity to appear before her or him accompanied by an advisor if she or he so wishes.

Non-Reappointment for University Priorities

2.3.7 Notwithstanding a determination that a staff member, appointed to a definite term tenure track appointment, meets the requirements for reappointment, University priorities, as determined by Senate, which prevent the reappointment of the staff member, established and published before the staff member is considered for reappointment, shall be sufficient reason to refuse the reappointment.

In such cases, the staff member shall be reappointed for an additional year appointment, m, s(e r)-18(eap6t)-1(,)h(w)-3

Consideration for Tenure

- 3.1** Every assistant librarian on a definite term tenure track appointment shall be considered for tenure and promotion to the rank of associate librarian no later than during the sixth (6th) academic year of her or his appointment to that rank.
 - 3.1.1** An assistant librarian on a definite term tenure track appointment who is granted tenure shall be promoted to the rank of associate librarian with tenure.
 - 3.1.2** An assistant librarian on a definite term tenure track appointment may request one early consideration for tenure and promotion no earlier than the third (3rd) year of her or his appointment to that rank. The Director or Dean of Libraries, on the other hand, may, with the consent of the staff member, initiate such early consideration at any time. Such consideration shall take place in the ordinary course commencing in May following the request.
- 3.2** Every associate librarian on a definite term tenure track appointment shall be considered for tenure during the fifth (5th) academic year of appointment to that rank.
 - 3.2.1** Every associate librarian on a definite term tenure track appointment is entitled to one early consideration for tenure at any time at her or his own request. The McGill University Libraries, on the other hand, may, with the consent of the staff member, also initiate such early consideration at any time. Such consideration shall take place in the ordinary course commencing in May following the request.
- 3.3** Every full librarian on a definite term tenure track appointment shall be considered for tenure during the fourth (4th) academic year of appointment to that rank.
 - 3.3.1** Every full librarian on a definite term tenure track appointment is entitled to early consideration for

3.6 Any staff member on a definite term tenure track appointment who wishes to initiate early consideration for tenure under Sections 3.1.2, 3.2.1 or 3.3.1 shall so notify the chair of the Library Tenure Committee and the Director or Dean

3.15 No later than September 1 of the year of consideration, candidates shall be informed of the composition of the Library Tenure Committee and the University Tenure Committee by the chair of each committee.

3.15.1 Reasonable efforts shall be made by the McGill University Libraries to give due consideration to the gender representation of the tenured librarian staff when selecting members for the Library Tenure Committee and the University Tenure Committee.

Library Tenure Committee: Chair

3.16 Subject to Section 3.17, the chair of the Library Tenure Committee shall be chosen from amongst members of the tenured librarian staff, excluding the Director or Dean of Libraries, deans, associate deans, vice-principals, associate vice-principals, the Provost, the Deputy Provost, and associate provosts, by an established documented collegial process appropriate to the Libraries and approved by the Director or Dean of Libraries.

3.17 Where a candidate has been appointed by the Board of Governors in one or more departments and/or faculties without departments, as well as the McGill University Libraries, the Director or Dean of Libraries shall consult with the chair(s) of the relevant department(s) and/or the persons chosen under Section 3.16 and decide who shall chair the Library Tenure Committee.

3.18 If no agreement is reached under Section 3.17, the chair of the Library Tenure Committee shall be chosen by the Director or Dean of Libraries and the dean or deans of the faculty or faculties in which the candidate holds appointment.

3.18.1 If no agreement is reached under Section 3.18, the chair of the Library Tenure Committee shall be chosen by the Provost.

3.19 The chair of the Library Tenure Committee shall have both voice and vote.

Library Tenure Committee: Membership

3.20 Subject to Sections 3.22.1 and 3.22.2, the Library Tenure Committee for a candidate who is appointed only in the McGill University Libraries shall be composed of the chair and at least four other members of the Libraries, who shall be chosen from amongst tenured librarian staff members through an established documented collegial process appropriate to the Libraries and approved by the Director or Dean of Libraries. Two alternate committee members shall also be chosen in accordance with the same procedures.

3.20.1 The documented collegial processes referred to in Section 3.20 shall be publicly available at the commencement of the tenure consideration process in each year of consideration, and candidates shall be made aware of the location of this documentation.

3.21 Where a candidate has been appointed by the Board of Governors in one or more departments and/or faculties without departments, as well as the McGill University Libraries, the composition of the Library Tenure Committee shall be determined by the Director or Dean of Libraries and chairs of the departments and the deans of the faculties without departments, as appropriate.

3.21.1 If no agreement is reached under Section 3.21, the composition of the Library Tenure Committee shall be determined by the Director or Dean of Libraries and the dean or deans.

3.21.2 If no agreement is reached under Section 3.21.1, the composition of the Library Tenure Committee shall be determined by the Provost.

- 3.22.1** In the event that a member of the Library Tenure Committee is unable to consider the case of a candidate, or is disqualified for cause or for conflict of interest, an alternate member of the committee shall fill the vacancy, but only in cases where there has been no meeting at which consideration of the merit of the candidate's case for tenure has taken place.
- 3.22.2** In the event that a member of the Library Tenure Committee is absent from a meeting at which the merit of a candidate's case for tenure is considered, that member shall not participate in further consideration of that candidate's case for tenure.
- 3.22.3** Notwithstanding Section 3.20, where there has been a meeting at which consideration of the merit of a candidate's case for tenure has already commenced, a vacancy shall remain unfilled, and the Library Tenure Committee shall continue its consideration of the candidate's case for tenure with the remaining members.
- 3.23** Insofar as it is otherwise permissible under these regulations, the Library Tenure Committee hearing the cases of candidates in a given year of consideration shall be composed of the same persons.

University Tenure Committee: Chair

- 3.24** Subject to Sections 3.25.1 and 3.26, the University Tenure Committee shall normally be presided over by the Director or Dean of Libraries.
- 3.24.1** At the commencement of each year of consideration, the Director or Dean of Libraries shall propose from amongst the tenured members of the librarian staff of the University Tenure Committee, an alternate chair to serve in the event that the Director or Dean of Libraries is unable to chair the University Tenure Committee, or is disqualified for cause or conflict of interest. Alternate chairs shall be approved by the Nominating Committee.
- 3.25.1** Subject to Section 3.25.2, where a candidate has been appointed by the Board of Governors in one or more departments and/or faculties without departments, as well as the McGill University Libraries, the Director or Dean of Libraries and the dean(s) of the relevant faculty(ies) shall consult and decide who shall chair the University Tenure Committee.
- 3.25.2** If no agreement is reached under Section 3.25.1, the chair of the University Tenure Committee shall be chosen by the Provost.
- 3.26**

- 3.28.1** The Director or Dean of Libraries shall appoint two members to the University Tenure Committee from a list of three tenured members of the McGill University Libraries (the “library list”). The Libraries shall determine the manner in which the members of the library list are selected. Membership of the library list shall be for a two (2) year renewable term.
- 3.28.2** The Secretary-General or delegate shall appoint the other three members to the University Tenure Committee from the list approved by Senate (the “Senate list”). The Senate list shall be composed of four tenured members of the academic staff who do not hold appointments in the McGill University Libraries.
- Membership of the Senate list shall be for a two (2) year renewable term.
- 3.28.3** Appointments to the University Tenure Committee from the Senate list shall be based on a system of regular rotation and take into account the availability of the members of the academic staff on the list.
- 3.29** Where a candidate holds appointments in one or more faculties, as well as the McGill University Libraries, the Director or Dean of Libraries and the dean(s) of the faculty(ies) shall consult and, by June 15 of the year of consideration, agree on the composition of the University Tenure Committee which shall consider her or his case, in accordance with Sections 3.28.1, 3.28.2 and 3.30.1.
- 3.29.1** If no agreement is reached by the Director or Dean of Libraries and the dean(s) under Section 3.29, the Provost shall decide upon the composition of the University Tenure Committee from the library list, the faculty lists and the Senate lists.
- 3.30.1** No two members of the University Tenure Committee appointed by the Secretary-General under Section 3.28.2 shall hold appointments in the same faculty.
- 3.30.2** In the event that a member of the University Tenure Committee is unable to consider the case of a candidate, or is disqualified for cause or for conflict of interest, the vacancy shall be filled by a member selected from the library list or the Senate list, as appropriate, but only in cases where there has been no meeting at which consideration of the merit of a candidate’s case for tenure has taken place.
- 3.30.3** In the event that a member of the University Tenure Committee is absent from a meeting at which the merit of a candidate’s case for tenure is considered, that member shall not participate in further consideration of that candidate’s case for tenure and the University Tenure Committee shall continue its consideration.
- 3.30.4** Notwithstanding Section 3.28, where there has been a meeting at which consideration of the merit of a candidate’s case for tenure has already commenced, a vacancy shall remain unfilled, and the University Tenure Committee shall continue its consideration of the candidate’s case for tenure with the remaining members.
- 3.31** Senate, itself or through a committee, shall determine any challenge by a candidate for cause and any other question with regard to the composition and the procedures of the University Tenure Committee.

External Evaluators

3.32.1 Prior to June 15 of the year of consideration, the chair of the Library Tenure Committee and the candidate shall mutually agree upon a list of eight external evaluators, which list shall be approved by the University Tenure Committee.

3.32.2 Where the candidate holds appointment in one or more departments, and/or faculties without departments, as well as the McGill University Libraries, the eight proposed external evaluators shall be mutually agreed upon by the candidate, the Director or Dean of Libraries or the chair of the Library Tenure Committee, and the chair(s) of the relevant department(s) and/or the dean(s) of the relevant faculty(ies) without departments.

3.32.3 On an agreement (if reached) under Sections 3.32.1 and 3.32.2 as to the proposed list of external evaluators, the University Tenure Committee shall make up the list from the names submitted by the candidate, the Director or Dean of Libraries or chair of the Library Tenure Committee, and the chair(s) of the relevant department(s) and/or dean(s) of faculty(ies) without departments.

3.32.4.1 The chair of the Library Tenure Committee and the candidate shall provide a written justification for the choice of each proposed external evaluator and this document shall form part of the candidate's tenure dossier.

3.32.4.2 In the case of a candidate who holds appointments in one or more departments, and/or faculties without departments, as well as the McGill University Libraries, the written justifications shall be provided by the chair of the Library Tenure Committee and the chairs of the relevant departments and/or the deans of the relevant faculties without departments, and the candidate.

3.32.5 Proposed external evaluators shall not be current or former thesis or research supervisors, students, or individuals with whom the candidate has or has had a close personal or professional relationship, nor individuals who, in the past six (6) years, have been librarian colleagues in the McGill University Libraries or collaborators of the candidate.

3.32.6 If the chair of the Library Tenure Committee or the Director or Dean of Libraries has requested recommendations for the candidate from a proposed external evaluator during the two (2) years immediately preceding the year of consideration, this fact shall be noted on the list. The candidate shall signify on the list that she or he was aware of the fact that the candidate

3.32.11 The Secretary-General or delegate shall attempt to contact the first three external evaluators on the ranked list to invite them to serve.

3.32.11.1 If the first three external evaluators contacted are prepared to serve, no further external evaluators shall be contacted.

3.32.11.2 If one or more of the external evaluators is unable to serve, or if the Secretary-General or delegate is unable to contact an external evaluator, she or he shall contact replacements in descending order on the ranked list until three external evaluators have agreed to serve.

3.32.12 The Secretary-General or delegate shall ask each external evaluator to provide an evaluation of the candidate's professional and scholarly activities, which may include research, and the candidate's contributions to scholarly communities and to submit the evaluation by November 20 of the year of consideration. External evaluations received after this date shall be submitted:

- (i) to the Library Tenure Committee but only if it has not commenced its consideration of the merit of the candidate's case; and
- (ii) to the University Tenure Committee pursuant to Section 3.46.2.

3.32.13 Subject to Section 3.46.2, no member of the University community other than the Secretary-General or delegate shall contact any external evaluator in regard to the candidate.

3.32.14 If the Library Tenure Committee or the University Tenure Committee is tending to a negative recommendation, the candidate shall be given a copy of the external evaluations with nominative information removed as prescribed by applicable legislation.

Tenure Dossier

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The Secretary-General or delegate shall forthwith transmit copies of the report and recommendation to the candidate and to the University Tenure Committee.

- 3.43** It is the responsibility of the chair of the Library Tenure Committee to ensure that the deadline stipulated in Section 3.42 is respected; nevertheless should the Library Tenure Committee fail to meet the delay specified in Section 3.42 it shall remain seised of the matter before it.

Deliberations: University Tenure Committee

- 3.44** The University Tenure Committee shall start its consideration of the candidate's case as soon as it receives the Library Tenure Committee report and recommendations from the Secretary-General or delegate.
- 3.45** If, after considering the candidate's tenure dossier and the Library Tenure Committee report, the University Tenure Committee concludes that the criteria for grant of tenure set out in Section 3.10 have been met, it shall recommend to the Principal that the candidate be granted tenure, giving its reasons in writing to the Principal.
- 3.46.1** If, after considering the candidate's tenure dossier and the Library Tenure Committee report, the University Tenure Committee is unable to recommend tenure because of lack of information on the candidate's position responsibilities, professional and scholarly activities, which may include research, or other contributions to the University and scholarly communities, it may, at its discretion, seek further information from the chair of the Library Tenure Committee.
- 3.46.2** If, after considering the candidate's tenure dossier and the Library Tenure Committee report, the University Tenure Committee is unable to recommend tenure because of lack of information on the candidate's professional and scholarly activities, which may include research or contributions to scholarly communities, it may, at its discretion, seek the opinion of one or more additional external evaluators from the agreed-to list.

- 3.50.4** If the Principal or delegate is tending to disagree with the positive recommendation of the University Tenure Committee, the Principal or delegate, prior to reaching a final decision, shall notify the candidate in writing that she or he is tending to a negative decision and shall provide the candidate with written reasons and an opportunity to appear before her or him, accompanied by an advisor if the candidate wishes, to address the concerns identified and to submit information to clarify the issues raised. Under these circumstances, the two week delay provided for in Section 8.7 shall be extended to twenty-five (25) working days.
- 3.50.5** If the Principal or delegate is tending to disagree with the University Tenure Committee's final recommendation against the grant of tenure, the Principal or delegate shall notify in writing both the candidate and the chair of the University Tenure Committee of her or his proposed recommendation and the reasons therefore, and each of them, accompanied by an advisor if they wish, shall be given the opportunity to appear before her or him to address the concerns identified. Under these circumstances, the two week delay provided for in Section 8.7 shall be extended to twenty-five (25) working days.
- 3.50.6** Should the Principal or delegate fail to meet the delays specified in Sections 3.50.2, 3.50.3, 3.50.4 or 3.50.5 she or he shall remain seised of the matter before her or him.

Retention of Tenure Dossier

- 3.51** The tenure dossier of each candidate shall be kept complete and intact until such time as the Board

Entitlement to Consideration for Promotion

- 4.5.1** The Director or Dean of Libraries may, at any time, recommend an associate librarian with a definite term tenure track appointment, with her or his consent, for consideration for promotion to the rank of full librarian in accordance with Sections 4.6.1 to 4.6.15.
- 4.5.2** An associate librarian with tenure who has held that rank for a minimum of three (3) years may apply at any time to the promotions committee for consideration for promotion to the rank of full librarian in accordance with Sections 4.7.1 to 4.7.2.
- 4.5.3** An associate librarian with tenure who has held the rank of associate librarian with tenure at the University for a minimum of ten (10) years may apply for consideration for promotion to the rank of full librarian in accordance with Sections 4.8.1 to 4.8.9.

PROCESS INITIATED BY DIRECTOR OR DEAN OF LIBRARIES WITH CONSENT OF STAFF MEMBER

Review by the Promotions Committee

- 4.6.1** Where the Director or Dean of Libraries wishes to propose a staff member for consideration for promotion to full librarian in accordance with Section 4.5.1 she or he shall so notify the chair of the promotions committee in writing.
- 4.6.2** Within two (2) weeks of receipt of the notification from the Director or Dean of Libraries, the chair of the promotions committee shall request the staff member so proposed to submit her or his dossier for promotion.
- 4.6.3** Within four (4) weeks of receipt of the promotions committee's request the staff member shall submit her or his dossier for promotion.
- 4.6.4** Where, on consideration of the staff member's dossier for promotion, the promotions committee is tending towards a negative recommendation it shall provide the staff member with written reasons and an opportunity to meet with it accom(w)-3(i)3(t)-1(h-12(ber)a)Tj1.169 Td ()Tj -0.002 Tcshes to propose a staff

4.6.7 Where the Director or Dean of Libraries is of the view that a Statutory Selection Committee should be established to consider the staff member's case for promotion, she or he shall so recommend in writing to the Principal, accompanied by written reasons and a copy of the promotions committee's report.

The Director or Dean of Libraries recommendation, her or his reasons, and the promotions committee's report shall be copied to the staff member and the Secretary-General.

4.6.8 Where the Director or Dean of Libraries is of the view that a Statutory Selection Committee should not be established to consider the staff member's case for promotion, she or he shall so advise the staff member in writing accompanied by her or his written reasons.

4.6.9 The Director or Dean of Libraries' recommendation under Section 4.6.7 or decision under Section 4.6.8 shall be communicated to the Principal and/or staff member, as appropriate, by no later than eight (8) weeks from the receipt of promotions committee report and recommendation accompanied by the staff member's dossier for promotion.

Review by Statutory Selection Committee

4.6.10 Within four (4) weeks of receipt of the Director or Dean of Libraries' recommendation that a Statutory Selection Committee be established the Principal shall so notify the Secretary-General in writing with a copy to the Director or Dean of Libraries and the staff member.

4.6.11 The Director or Dean of Libraries shall deposit with the Secretary-General:

- (i) the requisite number of copies of the promotions committee report and recommendation as set out in the guidelines referred to in Section 4.3;
- (ii) the requisite number of copies of the Director or Dean of Libraries' recommendation and reasons as set out in the guidelines referred to in Section 4.3; and
- (iii) a list of at least six (6) recognized authorities, some of whom shall be external to the University, who are qualified to comment on the staff member's professional and scholarly activities, which may include research and other contributions to the University and scholarly communities and who meet the requirements of Sections 3.32 and 3.32.5.

4.6.11.1 The Director or Dean of Libraries shall consult with the staff member before establishing the list of recognized authorities.

4.6.11.2 If the Director or Dean of Libraries and the staff member cannot agree on the list of recognized authorities, the Provost shall make up the list after consulting with both the Director or Dean of

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4.6.14 The Secretary-General shall promptly solicit a minimum of three (3) letters of reference in the order indicated by the Director or Dean of Libraries.

Should less than three of the recognized authorities on the list be able or willing to provide letters of reference the Secretary-General shall so notify the Director or Dean of Libraries who shall, after consulting the staff member, provide additional names to the Secretary-General.

4.6.15 The Statutory Selection Committee shall meet to consider the staff member's case for promotion and shall communicate its recommendation to the staff member within twelve (12) weeks of the receipt of the third letter of reference.

If the recommendation of the Statutory Selection Committee is negative it shall provide written reasons to the staff member.

PROCESS INITIATED BY STAFF MEMBER AFTER THREE (3) YEARS AS TENURED ASSOCIATE LIBRARIAN

4.7.1 Where an associate librarian who meets the requirements of Section 4.5.2 wishes to be considered for promotion to full librarian she or he shall:

- (i) so notify the chair of the promotions committee and the Director or Dean of Libraries in writing; and
- (ii) submit to it her or his dossier for promotion.

4.7.2 The consideration of the staff member's case for promotion shall then be in accordance with Sections 4.6.4 through 4.6.15.

PROCESS INITIATED BY STAFF MEMBER AFTER TEN (10) YEARS AS TENURED ASSOCIATE LIBRARIAN

4.8.1 A staff member who meets the requirements of Section 4.5.3 shall have the right to request the Principal directly to establish a Statutory Selection Committee to consider her or his case for promotion to full librarian.

4.8.2 The staff member's request shall be in writing, copied to the Secretary-General, and accompanied by:

- (i) a copy of her or his dossier for promotion; and
- (ii) a statement of the reasons for which the staff member believes she or he is deserving of promotion.

4.8.3 Within four (4) weeks of receipt of the staff member's request the Principal shall notify the staff member in writing as to whether she or he meets the requirements of Section 4.5.3.

4.8.4 If the staff member meets the requirements of Section 4.5.3, the Principal shall promptly:

- (i) forward the staff member's request and supporting documentation to the chair of the promotions committee requesting the committee's recommendation with respect to the staff member's case for promotion within eight (8) weeks of receipt of the Principal's communication; and
- (ii) request the Secretary-General in writing to establish a Statutory Selection Committee, which request shall be copied to the staff member and the Director or Dean of Libraries.

4.8.5 Within eight (8) weeks of receipt of the Principal's request, the promotions committee shall submit a written report to the Principal containing:

- (i) the committee's recommendation;
- (ii) the reasons supporting the committee's recommendation;
- (iii) a statement of the membership of the committee including any changes in membership that may have occurred during the consideration of the staff member's case.

The report shall be copied to the staff member, the Director or Dean of Libraries and the Secretary-General by the promotions committee.

- 5.2.2** A staff member appointed to a non-tenure track appointment shall be appointed to the rank of:
- (i) assistant librarian;
 - (ii) associate librarian; or
 - (iii) full librarian;
- as designated in her or his official letter of appointment.
- 5.2.3.1** A staff member appointed to a non-tenure track appointment shall normally be appointed for an initial definite term of not more than six (6) months.
- 5.2.3.2** A staff member appointed to a definite term non-tenure track appointment may be reappointed but the initial appointment and reappointments shall not normally exceed a maximum of two (2) years.
- 5.2.3.3** In the exceptional case that a staff member appointed to a definite term non-tenure track appointment has been appointed and reappointed to the same position for a continuous period of five (5) years, she or he shall be appointed to an indefinite term non-tenure track appointment.

8.2.2

8.12.1 If such agreement is filed, as hereinbefore prescribed, the subcommittee shall proceed to consider the appeal on its merits.

8.12.2 Such consideration will basically consist of a review of all documentation bearing on earlier considerations of the case; the subcommittee shall have authority to request statements, orally before the subcommittee in the presence of the parties or in writing, from University committees or officers who played a part in formulating the decision under appeal.

All documentation considered by the subcommittee shall be made available to the appellant and the Principal with the exception of confidential letters which shall be transmitted to the parties in the form of an unattributed summary verified by the subcommittee.

8.12.3 The subcommittee may permit new evidence to be adduced before it in the presence of parties, but only to clarify some new issue that arises during the course of its review or to establish a failure to follow proper procedures, bias, or inconsistency of the decision with the existing record of the case or with the established University practice.

8.12.4 The appellant has the right to be assisted by an advisor at any stage in this appeal procedure.

8.12.5 The parties shall be invited by ten (10) daysSo7()-1(i)3(es)f -45..14(9u Tw 2.795 0.18(es)-8(,)-b)-2(c)-8(or)-6(d of)-1

- 8.14.1** The subcommittee shall complete:
- (i) the first instance of the appeal, as defined in Section 8.8.6.2, within three (3) weeks of the subcommittee's formation;
 - (ii) the second instance, as so defined, within two (2) months of the filing of the agreement as provided in Section 8.12.1; and
 - (iii) the third instance, as so defined, within two (2) months of the completion of the second instance.

The months of July and August shall not be taken into account in calculating the above delays.

- 8.14.2** Should a member or members of the subcommittee be replaced during the course of the second or third instances of an appeal, as defined in Section 8.8.6.2, necessitating the reconsideration insofar as that instance is concerned, the subcommittee shall complete that instance within the delays provided in Section 8.14.1 or within six (6) weeks of the last such replacement, whichever is later.
- 8.15** If the final decision of the subcommittee is not rendered at least 37 weeks before the termination date of the appellant's current appointment, the appointment shall be extended to provide for an interval of thirty seven (37) weeks between the date of the final decision and the date of termination.
- 8.16** The final decision of the subcommittee and the reasons stated therefore shall be notified in writing to the Principal and the appellant.
- 8.17** If the final decision of the subcommittee is for a grant of tenure or a reappointment, a copy of the decision and the reasons stated therefore shall be forwarded through the Principal to the Board of Governors for Tw 3.614e0.001 Tw 3-1(t)-Tw 3.614 0 Td [(t)

10.2 Notwithstanding Section 10.1, the Committee on Staff Grievances and Disciplinary Procedures shall, when first constituted, consist of two members appointed for a term of three (3) years, two for a term of two (2) years, and two for a term of one (1) year.

10.3 The Committee on Staff Grievances and Disciplinary Procedures shall be appointed by the Board of Governors from a panel drawn established in accordance with Sections 10.3.1 through 10.3.4.

10.3.1 Prior to the 1st day of April each year, the President of the McGill Association of University Teachers or the President's designate and the Principal or the Principal's designate shall submit to the Senate Nominating Committee a jointly approved slate of names of tenured staff members.

This slate shall include at least one and a half times as many names as there are vacancies on the Committee on Staff Grievances and Disciplinary Procedures to be filled that year.

10.3.2 From this slate, the Senate Nominating Committee shall strike a panel of nominees equal to the

10.7 No member of the committee shall sit in a particular instance if that person:

11.5 If in Stage 2 no settlement is arrived at within ten (10) working days of the presentation of the complaint, the complaint shall be deemed a grievance, and the complainant shall file with the Secretary-General a written statement of grievance within

11.14 The committee may permit either party to adduce new evidence before it in the presence of the parties, but only in order to clarify some new issue that arises during the course of its review or to establish:

- (i) failure to follow proper procedures;
- (ii) bias; or
- (iii) inconsistency of the decision with the existing record of the case or with established University practice.

11.15 Each party shall have the right to call witnesses, subject to the provisions of Section 11.14.

11.16 The parties shall have the right to be assisted by an advisor.

11.17 At the meeting of the hearing committee, either party may put questions to the other and to any witnesses heard by the committee.

11.18 The hearings and deliberations of the committee are confidential.

11.19.1 If the committee finds that there has been a failure at one of the previous stages to follow proper procedures, it shall return the case to the appropriate committee or University officer with instructions as to the proper procedures to be followed, unless the committee itself decides to consider the case anew on its merits.

Should the committee refer the case back to the appropriate committee or University officer, it shall remain seised of the grievance, and the appropriate committee or officer shall, after having implemented the instructions, report back to the committee, which shall render a final decision.

11.19.2 If the committee finds that the decision grieved is tainted with bias or inconsistent with the existing record of the case or established practice, the committee shall proceed to consider the case on its merits.

11.20

11.23 Subject to Section 11.24, the hearing committee shall report its findings of fact, conclusions, and recommendations to the Principal for such actions as may be considered appropriate, with a copy to both parties. The Principal is not required to hold a further hearing, and the Principal's decision on reception of the report shall be final, subject only to the provisions of the University Charter. The Principal's decision shall be communicated in writing to the parties, with a copy to the committee, within thirty (30) days of receiving the report. If the Principal's decision differs from the recommendations of the committee, the Principal is obliged to give complete and substantive written reasons to all parties.

Recusal of Principal

11.24 In either a librarian evaluation or administrative grievance, if the Principal recuses herself or himself, or is the party grieved against, the committee shall submit its findings of fact, conclusions, decisions and recommendations to the Executive Committee of the Board of Governors instead of to the Principal. The Executive Committee shall then deal with the same in lieu of the Principal and under the same conditions.

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12.4.6 The parties shall be invited, by five (5) working days' written notice, to meet with the committee to state their cases. If either party fails to attend, the committee will proceed in her or his absence.

12.4.7 At such meeting, questions may be put by the members of the committee.

12.4.8 The hearings and deliberations of the committee are confidential.

12.4.9

SECTION 13: ARBITRATION

13.1 The Principal and the President of the McGill Association of University Teachers shall jointly appoint a person of unquestioned integrity and independence to perform the functions required in Section 13.5 and may at the same time provide for an alternate to act in the former's absence for an agreed term (and until their successors are appointed) within thirty (30) working days of the adoption of these regulations, or of the resignation or incapability of the person or persons previously appointed.

13.1.1 In the event of a suspension without pay, and upon receipt of the written notification from the staff member to use arbitration as provided in the regulations, the staff member shall be entitled to use arbitration as provided in the regulations.

SECTION 14: AMENDMENT AND REPEAL

Items for Inclusion in a Teaching Portfolio

1. Teaching Responsibilities

Information required

- Courses taught, course level, enrolment, and format
- Graduate students supervised (theses, internships)
- Undergraduate supervision (projects, theses)

Optional

- New courses developed
- Involvement in curriculum development
- Mentoring TAs and other instructors
- Training graduate students to teach
- Teaching-related administrative or committee work

2. Evidence of Teaching Effectiveness

Information required

- Summary and interpretation of course evaluation numerical ratings with department or faculty norms
- Measures taken in response to feedback on teaching

Optional

- A complete set of students' written comments on course evaluations
- Teaching awards received
- Other formal recognition of accomplishment
- Comments from peer observers
- Letters from students, alumni, colleagues, administrators, employers (consider what kinds of letters are representative)
- Students accepted/proceeding to advanced study in the field
- Professional success of students
- Awards/scholarships granted to students
- Invitations to teach due to reputation
- Products of good teaching (materials/products generated by students)
- Course materials created by instructor (e.g., course outlines)
- Performance by students on standardized examinations

3. Teaching Development Activities Co