

August 5, 2009

Dear Department Chairs,

As you know, the tenure and promotion (T&P) process in Arts, Sciences and Engineering is highly confidential. We all work to ensure that the materials gathered during this process are safeguarded to ensure the integrity of the process. At the same time, we also strive to honor our commitment of confidentiality to outside evaluators.

It recently came to our attention that academic departments are keeping paper and electronic files of tenure and promotion materials, including outside referee letters, long after a case has been decided. We find this troubling because this practice may create an opportunity for anyone in the department, including the candidate, to have access to these files.

Because our ultimate goal is to protect the candidate and maintain the confidential nature of the tenure and promotion process, maintaining T&P case files within an academic department is problematic from many perspectives. For example, if the candidate becomes the department chair, he/she would have access to these files. We have also come across cases where a preparator has sent an outdated template letter to outside referees by re-using materials from an old case. Rules and templates change annually, so preparators should refer only to the Preparator's Packet for that particular academic year. In addition, conflicts can arise within departments, and a faculty member could potentially use information in someone's tenure and promotion file against the candidate if it were available to him/her.

In consultation with Deke Mathieu, University Counsel, we plan to implement a new policy regarding retention of tenure and promotion files at the department level, effective immediately.

New File Procedure

Once a department delivers the original dossier and copies of the case to the Secretary of the Faculty and the subcommittee (internal or external), the department should no longer maintain the file. The Secretary of the Faculty is then responsible for the maintenance of the original dossier going forward. The department may keep a working copy of the file while the T&P case is still active, but once the candidate has been informed of the Trustee decision, the file is no longer active and the department chair must ensure all paper and electronic files within the department should be confidentially destroyed. The Department Chair should notify the Secretary of the Faculty via email to confirm all materials have been destroyed.

In the event that a tenure and promotion case is approved by the Trustee Academic Affairs Committee, the Secretary of the Faculty will retain the original case materials, including documents forwarded to the Trustees, for as long as he/she is a faculty member. All other paper and electronic copies of the case will be destroyed. The only materials that will be distributed back to the department are the boxes and/or binders in which the copies were placed, and any original books and/or publications that were included in the original dossier.

In the event that a tenure and promotion case has been denied or withdrawn, the Secretary of the Faculty retains the original dossier for twelve years, and then the entire dossier is destroyed. The

department should destroy all electronic materials and correspondence whether a case has been approved, denied or withdrawn.

If your department is maintaining files on tenure and promotion cases that were decided prior to 08-09, department chairs should ensure that all paper and electronic files are confidentially destroyed.

Below we outline some additional precautions to ensure that we maintain a heightened level of confidentiality with regard to T&P materials:

Department Meeting: A department collects a variety of materials and correspondence as it prepares for a tenure and promotion case. Much of this information is distributed to tenured faculty members in the department prior to the department meeting so they can have an informed discussion about a candidate. At the department meeting where a vote is taken, the department chair should collect all materials that were distributed prior to the meeting and ensure they are confidentially destroyed following the vote.

Members of the External Subcommittee: The two members of the department should delete all electronic materials in their possession and return all paper materials to the preparator to be confidentially destroyed once the case has been decided by the Trustee Academic Affairs Committee. The two members of the Tenure and Promotion Committee will confidentially destroy all paper and elections materials in their possession once the case has been decided by the Trustee Academic Affairs Committee. The outside expert will receive instructions to confidentially destroy his/her copy of the dossier once the subcommittee report has been finalized and to destroy all electronic materials related to a case. Each member of the external subcommittee should notify the Chair of the subcommittee via email, with a copy to the Secretary of the Faculty, to confirm that all materials have been destroyed.

Confidential, Mentee and Outside Referee Letters: As stated in Statement 11, in an approved case, the Secretary of the Faculty retains the mentee letters and confidential letters from tenured members of the department for 3 years and then confidentially destroys them. If a case is denied or withdrawn, these letters are included with the original dossier for 12 years, and then the entire dossier is confidentially destroyed. Outside referees should be instructed to confidentially destroy the materials they have received once the department confirms receipt of their letter.

Thank you in advance for your cooperation in implementing this policy. If you have any questions, please contact us.

Sincerely,

Linda M. Abriola
Dean of the School of Engineering

Robert J. Sternberg
Dean of the School of Arts and Sciences