

Promotion and Tenure Appeal Process
(Non-Bargaining Unit)

1. Candidates who are not recommended for promotion or tenure by the Promotion and Tenure (P&T) Committee have the right to appeal the negative recommendation to the Faculty of Medicine Appeal Committee for P&T (“the Appeal Committee”).
2. A negative promotion or tenure recommendation may be appealed only on the following grounds:
 - a. Recommendation was made on the basis of a failure to follow proper procedures (procedural error) or a reasonable apprehension of bias;
 - b. Recommendation is unreasonable in light of the evidence which was available at the time of the recommendation;
 - c. P&T Committee was presented with incorrect facts or there were facts not considered that affected their recommendation.
3. Committee Composition
 - a. The Dean of Medicine will appoint each member of the Appeal Committee (up to ten (10) clinical faculty members), including the Appeal Committee Chair and Vice-Chair, prior to the beginning of the P&T cycle. Members will be of varying academic rank and will represent the different clinical disciplines.
 - b. When an appeal request is received by the Chair of the Appeal Committee, an Appeal Panel will be drawn from the Appeal Committee membership and will be comprised of the Appeal Committee Chair or Vice Chair and two (2) Appeal Committee members, in accordance with the procedures below.
 - i. Members of the Appeal Panel must be from outside the discipline of the appellant and have no conflicts of interest with the appellant. If the Chair has a conflict of interest with the appellant, the Vice-Chair will chair the Appeal Panel.
 - ii. The Manager of Academic Affairs will review the Appeal Panel membership to ensure no conflicts of interest exists. Conflicts of interest will be dealt with in accordance with the university [Conflict of Interest Policy](#).
 - iii. At least one (1) faculty member on the Appeal Panel must be at the rank of Full Professor (tenured).
4. Appeal Procedure
 - a. Within two (2) business days of receiving a negative promotion or tenure recommendation from the P&T committee, the Dean of Medicine will advise the candidate in writing of the negative recommendation. The appellant must submit to the Chair of the Appeal Committee a written letter indicating their intention to appeal the recommendation within ten (10) business days of receiving the written notice from the

Dean of Medicine. The letter should set out the grounds for appeal and submit all supporting documentation.

- b.** The Chair or Vice Chair of the Appeal Committee, in consultation with the Manager of Academic Affairs, will establish the Appeal Panel and schedule an appeal hearing within ten (10) business days of receiving the appeal request from the appellant.
- c.** All material that was before the P&T Committee, as well as all material submitted by the appellant, will be circulated to the Appeal Panel and provided to the appellant and the Chair of the P&T Committee (or delegate) prior to the appeal hearing.
- d.** The Chair of the P&T Committee (or delegate) and appellant will be invited to attend the appeal hearing. The appeal hearing is heard in person. Each may bring one (1) advisor in the form of an academic colleague from within the Faculty of Medicine. Advisors are not parties to the appeal. The role of the advisors is to provide advice and support to the parties.
- e.** The appellant will address the Appeal Panel first, and in person. The appellant will present their reasons for the appeal, address any new information and documents they have provided, and answer questions from the Appeal Panel pertaining to their P&T file.
- f.** The Chair of the P&T Committee (or delegate) will address the Appeal Panel next, in person, and present all of the information that was considered by the P&T committee and the reasons for their decision. They will also respond to any new documents presented by the appellant, and answer questions arising from the Appeal Panel.
- g.** The appellant will have a right to reply to the information presented by the Chair of the P&T Committee (or delegate) but may not raise any new information during the rebuttal.
- h.** The appellant, Chair of the P&T Committee (or delegate), and advisors will then be excused from the deliberations of the Appeal Panel but should remain outside the room until dismissed. If the Appeal Panel has any questions that arise during its deliberations, they will recall both parties into the room and the Chair will pose the questions in front of both parties. Both parties will be given the opportunity to respond to any question of the Appeal Panel.
- i.** Appeal hearing submissions will be transcribed, and written transcriptions of the appeal hearing submissions will be kept by the Dean's Office. The Appeal Panel's deliberations are done in confidence and are not recorded.
- j.** The Appeal Panel may reach its decision immediately after deliberations, or may reserve its decision for further consideration of the submissions for up to two (2) business days. The Appeal Panel may reach one of the following decisions:
 - i.** Uphold the recommendation of the P&T Committee not to promote the appellant;
 - ii.** Reverse the recommendation of the P&T Committee and substitute its own recommendation to the Dean of Medicine.
- k.** If the decision is reached immediately following deliberations, the decision may be informally communicated to the appellant immediately after the Committee's deliberations. The Chair of the Committee will formally convey the decision, with its reasons, to the appellant in writing within two (2) business days. A copy of the correspondence and Appeal Panel decision will be sent to the Chair of the P&T Committee and the appellant's Discipline Chair.



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- l.** The Dean of Medicine will make their recommendation to the Provost and Vice President (Academic) regarding the appellant based upon the decision of the Appeal Panel.
- m.** The decision of the Appeal Panel is final.