


## MEMORANDUM

**DATE:** June 13, 2022  
**TO:** Liesl Folks, Senior Vice President for Academic Affairs and Provost  
**FROM:** Shane C. Burgess   
**SUBJECT:** Career-Track Faculty Appeal Following Promotion Denial

Although tenure-track and continuing-track faculty can appeal to the President if denied promotion, career-track faculty currently have no such pathway. [UHAP 3.3.03](#) Part C (Levels of Review) states, "*The Provost's decision on the promotion of a career-track faculty member is not subject to further review or appeal.*" I am very concerned this may be resulting in a legal inequity and thus a risk to the institution.

I understand that one argument for the status quo is that the denial of tenure or continuing status results in a terminal appointment and that unsuccessful career-track promotion reviews do not result in a termination. However, unsuccessful bids for promotion to full rank for faculty with a property right do not result in a terminal contract and yet they have a right to appeal. While I see a downside risk to the institution to the current process, I don't see one to the alternate.

Furthermore, I and others have been working for more than a decade in the Division of Agriculture, Life and Veterinary Sciences, and Cooperative Extension to eliminate the reality that career-track faculty are treated as "second-class citizens" and the current practice enforces the opposite.

I understand the Faculty Senate is reviewing this policy and hope to see it revised to include an appeal process for all faculty promotion reviews.

cc: ALVSCE Executive Council  
CALs Academic Unit Heads  
County Extension Directors  
ALVSCE Faculty Council Chair  
Jeannie McLain, Assistant Dean for Faculty Advancement