

**OFFICE OF THE PROVOST
AND VICE CHANCELLOR FOR ACADEMIC AFFAIRS**

HIRING POLICIES AND PROCEDURES REVIEW COMMITTEE

FINAL REPORT

December 12, 2014



ILLINOIS
UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN

OFFICE OF THE PROVOST
HIRING POLICIES AND PROCEDURES REVIEW COMMITTEE
FINAL REPORT

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I. COMMITTEE CHARGE

The committee, which was jointly charged by the Provost and Vice Chancellor for Academic Affairs, Professor Ilesanmi Adesida, and the Chair of the Academic Senate, Professor Roy Campbell, was asked “to review policies and processes for faculty hiring on the Urbana-Champaign campus, including a review of pertinent sections of the University Statutes and related policies and processes” and to submit findings and any recommendations for changes or clarifications in the faculty hiring process. The committee focused on hiring processes for tenured and tenure-track faculty.

II. COMMITTEE MEMBERSHIP

Professor Eric Johnson, Law, *Chair*

Professor Amy Ando, Agricultural and Consumer Economics

Professor Dorothy Espelage, Educational Psychology

Professor Edward Feser, Dean, College of Fine and Applied Arts

Professor Charles Gammie, Physics and Astronomy

Professor Jean-Philippe Mathy, Director, School of Literatures, Cultures and Linguistics

Professor Michael Rothberg, Head, English

Associate Director Sandy Jones, Academic Human Resources

Associate Provost Katherine Galvin, *Ex-Officio*

III. EXECUTIVE SUMMARY

Charged with reviewing and making recommendations regarding faculty hiring policies and procedures at the University of Illinois at Urbana-Champaign, the committee first identified the principles that ought to guide faculty hiring and against which policies and procedures should be measured. The four guiding principles that must form the foundation for all faculty hiring policies and procedures are:

- **Effective review:** Policies and procedures should ensure that the university hires tenured and tenure-track faculty who are well qualified for their positions.
- **Competitiveness:** Hiring policies and procedures should enable the campus to compete successfully with other universities to attract top candidates.
- **Responsibility:** The University of Illinois at Urbana-Champaign should strive for responsible and principled behavior in hiring, not just to act narrowly within the law.
- **Shared Governance:** Hiring processes at the University of Illinois at Urbana-Champaign should adhere to the principles of shared governance as they are articulated in relevant university policies and *Statutes*.

The committee finds that these principles, to a large degree, are reflected in the current faculty hiring practices followed on the Urbana campus. In particular, the current hiring

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practices rely on judgment of the department faculty and administrators who have the level of expertise necessary to thoroughly evaluate candidates' qualifications. Additionally, a key strength in the existing policies and practices is that all tenured or tenure-track faculty appointments are subjected to a second level review. This second level scrutiny is conducted by the deans or, in some cases, the provost.

Although the University *Statutes* indicate that final approval authority for academic appointments resides in the board of trustees, in practice the board has not engaged in substantive review of faculty qualifications. Rather, the board has relied upon the substantive reviews conducted by faculty within the academic unit, second level review by the college or provost, and tenure reviews by the campus off-cycle tenure committee. Through this practice of relying upon the academic and professional judgment of the faculty and faculty administrators, the board has successfully exercised its authority over faculty appointments. Specifically, the board has ongoing oversight of the performance of the chancellor, provost and deans through its power to appoint and reappoint those high-level campus administrators. The success of this longstanding appointment process is seen in the world-class faculty that the University of Illinois at Urbana-Champaign has been able to attract.

Although the hiring practices rely upon this effective delegation of substantive reviews to the campus, the formal hiring policy set forth in the University *Statutes* states that the board has final approval of tenured and tenure track faculty appointments. Until very recently, the board exercised this authority through a single board item that **confirmed** all academic appointments **approved** by the campus (including those with administrative appointments below the level of dean). This practice honors the board's role as a policy maker, is consistent with the board's schedule of meeting every two months, and most importantly, defers to and relies upon the academic judgment of the faculty and faculty administrators. If the board were to conduct substantive reviews of candidates' qualifications, such a change in our process would be fundamentally incompatible with the board's deliberative, policy-formulating role and the competitiveness of the campus would be seriously damaged. Competitiveness would be damaged because of substantial delays in the hiring process, loss of faculty candidates' trust and confidence in offers extended by the campus, and competitor universities having more nimble hiring practices. Most fundamentally, such a process would be contrary to the commitment to shared governance and to having hiring processes that are responsible and fair to faculty candidates.

For all of the foregoing reasons, the committee finds that the University of Illinois at Urbana-Champaign's goal of attracting the very best faculty would be best served by amending the

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formal hiring policies to align them with the current and historical hiring practices followed by the Urbana campus. Specifically, the committee makes the following three recommendations:

- **Recommendation No. 1:** The board should continue its oversight of faculty hiring through the review and approval of all faculty administrative appointments at the level of deans and above.
- **Recommendation 2:** The board of trustees should formally delegate its responsibility for tenured and tenure-track academic appointments that do not involve administrative positions at the level of deans and above to the president, who in turn should continue the existing policy of delegating to the chancellor and provost.
- **Recommendation 3:** The campus should review its procedures for off-cycle tenure review to ensure that those processes continue to operate both rigorously and expeditiously.

IV. COMMITTEE ACTIVITIES AND PROCESS

The committee met seven times between October 14, 2014 and December 5, 2014. As part of its review, the committee examined the following policies:

- University of Illinois *Statutes*
- The General Rules Concerning University Organization and Procedure
- Provost Communication No. 2, Offering Academic Appointments
- Provost Communication No. 3, Appointments of Faculty and Academic Professionals

Additionally, the committee reviewed the policies and procedures for faculty appointments at peer institutions. The committee submitted its final report to Provost Adesida and Professor Roy Campbell, Chair of the Academic Senate, on December 12, 2014.

V. GUIDING PRINCIPLES

The committee began its work by outlining core principles that it believes should underpin the university's hiring policies and procedures. Collectively these principles served as a standard against which the committee evaluated current policies and procedures and identified recommendations for changes.

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Effective review: Policies and procedures should ensure that the university hires tenured and tenure-track faculty who are well qualified for their positions.

Sufficient review must be carried out by qualified people to ensure that candidates are carefully and appropriately screened. The University *Statutes* describe the appropriate criteria to be used in such a process: “The basic criteria for employment and promotion of all university staff... shall be appropriate qualifications for and performance of the specified duties” (University *Statutes*, Article IX, Section 1). “Appointments shall be made solely on the basis of the special fitness of the individual for the work demanded in the position” (*Statutes* article IX, Section 3b).

Competitiveness: Hiring policies and procedures should enable the campus to compete successfully with other universities to attract top candidates.

In order to compete with other universities, Illinois must be able to move deliberately but promptly when a strong candidate is identified. The best candidates are likely to have other offers of employment with pressing deadlines. The duration of candidate uncertainty about whether an offer will translate into an actual job must be minimized, lest Illinois be unable to compete with more nimble universities.

Responsibility: The University of Illinois at Urbana-Champaign should strive for responsible and principled behavior in hiring, not just to act narrowly within the law.

The campus’s hiring policies and procedures should be highly principled and responsible. First, hiring decisions should be free of discrimination and consistent with the campus commitment to diversity. Not only do the law and our *Statutes* provide that “employees are to be selected ... without regard to political affiliation, relationship by blood or marriage, age, sex, race, creed, national origin, handicap, or status as a disabled veteran or veteran of the Vietnam era” (University *Statutes*, Article IX, Section 1), but the successful achievement of our mission also requires a diverse faculty and staff. Second, hiring decisions should be consistent with principles of academic freedom. Third, hiring processes should ensure that candidates are not required to take costly actions in reliance on a promise of employment that does not represent a final commitment.

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Shared Governance: Hiring processes at the University of Illinois at Urbana-Champaign should adhere to the principles of shared governance as they are articulated in relevant university policies and *Statutes*.

A defining characteristic of higher education is the principle that governance of universities should be shared between the administration and the faculty. At the University of Illinois, the structure of shared governance is set forth throughout the University *Statutes*, starting in the Preamble where it states:

The educational policy, organization, and governance of the University as delegated by the Board of Trustees are promulgated in these *Statutes*. When acting on such matters, the board relies upon the advice of the university senates transmitted to it by the President of the University. In these matters each senate has a legitimate concern which justifies its participation in the enactment and amendment of the *Statutes*. The Board of Trustees reserves the power to initiate and make changes in the *Statutes*, but before making any change it will seek the advice of the senates.

In discussing the legislative organization of the University and the faculty role in governance, the statutes additionally provide: “As the responsible body in the teaching, research, and scholarly activities of the University, the faculty has inherent interests and rights in academic policy and governance. Each college or other academic unit shall be governed in its internal administration by its faculty . . .” (*Statutes*, Article II, Section 3b). At every level of the University, the *Statutes* require that faculty advisory bodies exist and call upon administrators to consult with faculty regarding matters of educational policy. *See* Article II, Section 1 (creation of campus senates), Article II, Section 2 (creation of University Senates Conference), Article II Section 3 (outlining faculty role in governance); Article II Section 4 (creation of the campus faculty advisory committee); Article III Section 2f (requirement for executive committees to advise deans on formulation and execution of policies); Article III Section 3d (college deans required to consult with faculty); Article III Section 4d(3) (schools required to have advisory committees); Article III, Section 5b (school deans or directors required to consult with faculty); Article IV, Section 1d (chaired departments required to have executive committees); and Article IV, Sections 3b & 3d (department heads required to consult with faculty). In affirming this principle, Provost Communication No. 27 asserts: “In a shared governance system, decisions are made through a process that rests upon collegial and collaborative consultation.” Such principles of faculty responsibility and collaborative consultation should guide the hiring process.

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VI. ASSESSMENT OF CURRENT HIRING PROCEDURES

Current hiring procedures for the University of Illinois at Urbana-Champaign are established by the University *Statutes* (particularly Article IX, Section 3d) and by two provost communications: Provost Communication No. 2, which addresses the subject of “Offering Academic Positions,” and Provost Communication No. 3, which addresses the subject of “Appointments of Faculty and Academic Professionals.” All three documents contemplate a regular, sequential hiring process that usually begins with a recommendation by the department and ends with formal approval by the board of trustees.

Origin in department/first level of review. The first step in the hiring process ordinarily occurs at the department level. As provided in Article IX, Section 3d of the University *Statutes*, “[r]ecommendations to positions on the academic staff shall ordinarily originate with the department.” Some schools and colleges are not subdivided into departments. In those academic units, the recommendation to a position on the academic staff originates at the school or college level “with the officers in charge of the work concerned” (University *Statutes*, Article IX, Section 3d). In either event, the principle at work is the same: the hiring recommendation ordinarily originates with those faculty members and administrators who, by virtue of their first-hand knowledge of the candidate’s discipline, are best equipped to evaluate his or her qualifications.

Second level of review. After originating at the department level, recommendations undergo a second level of review, usually at the college level. As provided in Article III, Section 3d of the University *Statutes*, a department’s recommendation must “be presented to the dean.” After receiving the recommendation, the college dean must first confirm that “intra-departmental consultation procedures have been satisfied” in relation to the appointment, and then must consult with the department in deciding whether to approve or disapprove the appointment. The dean may not delegate responsibility for deciding whether to approve or disapprove the appointment (see Provost Communication No. 3 at p. 3).

When the recommendation originates not in a department but in an undivided college, the recommendation must be transmitted by the dean “to the campus for prior approval by the Provost” (Provost Communication No. 3 at p. 2). That requirement of approval by the provost implements the broader requirement that every academic appointment to a permanent position be approved “at two administrative levels, including the level from which the appointment is proposed” (*Id.*). Where undivided colleges are concerned, the provost is responsible for providing this second “level” of review.

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Additional review for tenured appointments. Appointments with tenure must undergo additional scrutiny before an offer is extended. According to Provost Communication No. 3, the provost first “solicits comments [on the appointment] from the Chancellor, the Vice Chancellor for Research, Dean of the Graduate College, and the Chair of the Campus Committee on Promotion and Tenure.” (As a matter of custom, the chancellor also asks an associate chancellor to review the tenure packet and both the associate chancellor and the chancellor vote on the tenure case.) After consulting with this de facto off-cycle promotion and tenure committee, the provost “acts on the case and notifies the unit” (Provost Communication No. 3 at p. 8). In conducting this review, the provost demands “evidence justifying tenure that is comparable to the evidence required internally for the granting of tenure” (*Id.*). The review is described in Provost Communication No. 3 as taking five to ten days but the review can take longer in practice.

Additional review for appointments to named chairs and professorships. Appointments to named chairs and professorships also must be approved by the provost before an offer is extended, regardless of whether the appointment is with or without tenure (See Provost Communication No. 6 at 2, 6-7). For these appointments, the provost seeks the advice of the Committee on Endowed Appointments as part of the normal review process. Campus-wide chairs and professorships are awarded by the chancellor upon recommendation of the provost and the Committee on Endowed Appointments.

Extension of an offer. After the recommendation for appointment has been approved through the appropriate channels, the dean sends “a letter of invitation” to the candidate (Provost Communication No. 2 at p. 2). That letter of invitation, like all other interactions with the candidate, “must indicate that the final appointment requires Board approval” (*Id.* at p. 4). Specifically, the letter must include “[a] statement that the invitation is contingent upon approval by the Board of Trustees of the University of Illinois” (*Id.* at p. 6).

Transmittal to Academic Human Resources. After the candidate accepts the campus’s offer of employment, the department where the offer originated is responsible for forwarding the candidate’s curriculum vitae to the Office of Academic Human Resources (AHR) “so that office can develop the required Board of Trustees agenda item and biographical sketch, and provide a copy to the Board of Trustees” (Provost Communication No. 2 at p. 4).

In practice, substantial delay often occurs between the candidate’s date of acceptance and the date that the required information is transmitted to AHR. The reason for this delay is that departments are required to secure compliance with a variety of technical conditions related

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to employment (for example, that the candidate has completed mandatory ethics training) before forwarding the candidate's information to AHR for payroll application. This information is used to compile a biographical sketch—a short narrative about the candidate—for the board of trustees. Compliance with those technical requirements, although not difficult, often takes considerable time.

Board of trustees approval. In accordance with Provost Communication No. 2, AHR develops an “agenda item” for the board of trustees, along with the biographical sketch. The biographical sketch consists of the candidate's name, a description of the position, the salary, the candidate's former position, and the candidate's education. On the basis of the information in the sketch, the board votes on the candidate at a regularly scheduled meeting. Tenure system faculty appointments that do not include high level administrative appointments (deans or above) are submitted to the board as one collective item for review and approval. Until the September 2014 board meeting, the language of the board item for such appointments indicated that “[t]he following new appointments to the faculty at the rank of assistant professor and above, and certain administrative positions, **have been approved since the previous meeting of the Board of Trustees and are now presented for your confirmation**” (emphasis added). Each appointment of an administrator at the level of dean and above, which in most cases is a tenure-track appointment also, is submitted as single board item that is individually reviewed and approved by the board. Approval by the board marks the end of the hiring process.

As for timing, Attachment No. 1 to Provost Communication No. 3 provides that for tenure-track faculty, faculty on Q appointments, and new hires with tenure—excluding administrators at the level of dean and above—“Board approval is required...via a brief biosketch; however, approval is not required prior to the effective date of an appointment...” Attachment No. 1 is a reference document issued from the board of trustees' office in December 2011. As a matter of administrative efficiency in appointment processing, departments transmit to AHR the new tenure system faculty appointment information for each new hire at the time all other contingencies for employment have been met, e.g., federal I-9 confirmation of eligibility to work and state required ethics training. Hence, at the time AHR forwards the biosketch to the board of trustees, the only remaining contingency for permanent appointment is the final board of trustees' approval. In practice, it has become commonplace for the board to approve new hires at the September meeting following the August in which those individuals began work.

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Role of the president. The statutes specifically provide that “All appointments, reappointments, and promotions of academic staff, as defined in Article IX, Section 4a, shall be made by the Board of Trustees on the recommendation of the chancellor/vice president concerned and the president.” On the Urbana campus the president has delegated this authority to the chancellor. This delegation is reflected in Provost Communication No. 3, which states that “The President has delegated administrative authority over academic appointments on this campus to the Chancellor . . .”

Role of the chancellor. The chancellor usually does not, however, exercise directly the authority delegated to her/him by the president. Rather, as explained in Provost Communication No. 3, the chancellor “has in turn delegated [administrative authority over academic appointments] to the Provost and Vice Chancellor for Academic Affairs.” The chancellor’s only direct, non-delegated role in routine academic appointments is as a member of the committee that advises the provost on the subject of off-cycle tenure reviews, as explained above. The chancellor is directly responsible, however, for awarding campus-wide chairs and professorships.

Role of the provost. Although provost review and approval is required to conduct a search for assistant professor positions, the provost does not review and approve appointment offers to successful assistant professor candidates except when necessary to satisfy the requirement for second-level review. Thus, in cases where provost review is not necessary to satisfy the requirement for second-level review, the provost in effect has delegated his/her authority over appointments at the level of assistant professor to the college deans. In the usual case, then, the provost approves the assistant professor *position*, but not the individual who is appointed to that position.

Procedures in challenged cases. The University *Statutes* articulate a procedure for deans to challenge appointment decisions by higher-level administrators. Article III, Section 3d of the University *Statutes* provides that “[i]n case a [hiring] recommendation is not approved by the chancellor/vice president, the dean may present the recommendation to the president and, if not approved by the president, the dean with the consent of the Board of Trustees may present the recommendation in person before the Board of Trustees in session.” As noted above, in practice neither the president nor the chancellor exercises direct authority over appointments; both have delegated their powers to the provost. Therefore, the combination of statutes and campus procedures mean that the effect of the Article III, Section 3d provision is to permit a dean to present a case for hiring directly to the board of trustees, when the board consents, in instances when the provost disapproves a particular appointment.

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VII. FINDINGS

The University of Illinois at Urbana-Champaign’s status as one of the world’s premier research universities has been achieved through current hiring practices that rely on the judgment of the department faculty and administrators and the requirement for second level review for all faculty appointments by campus level faculty administrators.

A primary strength of the existing practices and procedures is their reliance on the judgment of those who are best equipped to evaluate the candidate’s qualifications, namely, faculty and administrators from a candidate’s discipline. Article IX, Section 3d of the University *Statutes* provides that “[r]ecommendations to positions on the academic staff shall ordinarily originate with the department.” That allocation of responsibility is in keeping with the department’s statutory role as “the primary unit of education and administration within the University” (University *Statutes*, Article IV, Section 1a). It also is in keeping with the role of departments as repositories of expertise in “particular field[s] of knowledge” (*Id.*). Those who participate in research and instruction in a particular field of knowledge usually are best equipped to evaluate others in the same field.

Yet it is also a strength of the existing policies and procedures that all appointments are subjected to a second level of review. All tenured and tenure-track hiring decisions have significant long-term financial and scholarly implications for the success of the university as a whole, not just the individual discipline and academic unit. Accordingly, under Provost Communication No. 3, all academic appointments to permanent (i.e., non-visiting) positions “require prior approval at two administrative levels, including the level from which the appointment is proposed.” In the usual course, the required second level of review will be afforded when the department’s recommendation “is presented to the dean of the college for transmission with the dean’s recommendation to the chancellor/vice president” (University *Statutes*, Article IX, Section 3d). In other cases, as where recommendations originate in undivided colleges, schools, or institutes, the second level of review is afforded by the provost (Provost Communication No. 3, at page 3). What is critical in either event is that recommendations from departments are subjected to scrutiny by faculty administrators who, though generally less familiar with the candidate’s particular field of knowledge, are able to bring a broader perspective to the review of the candidate’s qualifications and value to the institution.

In many respects, the campus’s existing procedures are consistent, expeditious, and non-duplicative. Although the University *Statutes* situate responsibility for appointments in the

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president and chancellor (see Article IX, Section 3a), both the president and the chancellor have delegated those responsibilities to the provost (Provost Communication No. 3 at page 1). Those delegations have the effect both of eliminating needless duplication of effort and of concentrating ultimate responsibility over appointments in the campus's chief academic officer and its academic deans. They also have the effect of expediting the process leading up to the university's formal offer of appointment, thus helping the university compete effectively with other universities for top candidates.

The board of trustees plays a foundational and critically important, albeit indirect, role in current hiring practices through its appointment and oversight of campus-level administrators.

The campus's hiring practices are strengthened by the oversight of the board of trustees. The most direct and effective way that the board ensures the excellence of the faculty hired is through its appointment and oversight of campus faculty administrators who conduct the substantive review of faculty appointments. Through its review and approval of the appointments to key campus administrative positions (e.g., chancellor, provost, deans), the board has ensured that the right leadership is in place to build and maintain a first class faculty. Specifically, the board is responsible for the appointment (and annual reappointment) of the chancellors and provosts. On the Urbana campus, the provost is in turn responsible both for conducting reviews of all tenured appointments and for conducting "second-level" reviews of some tenure-track appointments (University *Statutes*, Article III, Section 1g). The board also is responsible for the appointment (and annual reappointment) of college deans, each of whom is responsible for reviewing all appointments to his or her college's faculty (University *Statutes*, Article III, Section 3b).

In appointing high quality administrators and delegating carefully, the board of trustees exercises its authority over appointments very effectively, albeit somewhat indirectly. Indeed, current review procedures and approval processes are robust. Even at the level of assistant professor, an offer of employment is extended only after the candidate's qualifications have been subjected to at least two levels of review—usually by the department and then by the college. For tenured positions, the review that precedes the offer is even more searching. After the college dean approves an appointment with tenure, the provost "solicits comments from the Chancellor, the Vice Chancellor for Research, the Dean of the Graduate College, and the Chair of the Campus Committee on Promotion and Tenure" (Provost Communication No. 3 at p. 8). The provost then relies on the guidance received in deciding whether to approve the proposed offer. Deans of colleges typically review the entire

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tenure dossier in making a tenure recommendation. The provost's review of tenured hires makes use of the contents of a full tenure dossier, including letters from external evaluators.

Even now, the board of trustees does not participate directly in substantive review of the qualifications of individual faculty candidates.

Current procedures technically require board approval of all tenured and tenure-track faculty appointments. In practice, however, the board does not conduct substantive reviews of faculty appointments that do not include administrative responsibilities. Rather, the board relies upon the substantive reviews conducted by the faculty and administrators in the relevant departments and on the second-level review conducted by the deans or the provost.

This practice is reflected in the language of the board agenda items for faculty appointment, which until recently stated that such appointments “**have been approved** since the previous meeting of the Board of Trustees **and are now presented for your confirmation.**” (emphasis added). This practice also is reflected in the fact that such appointments are collectively submitted to the board as one item for review and approval. Finally, this practice is reflected in the character of the information provided to the board. The biographical sketches that, in the usual case, provide the exclusive basis for the board's review include only the candidate's name, a description of the position, the salary, the candidate's former position, and the candidate's education. The sketches include no outside reviews of the candidate's academic work, or the work itself, and thus they provide no basis for real scrutiny of the candidate's qualifications. Although the board may request additional information from Academic Human Resources, it rarely has the information at its disposal to motivate such a request.

If the board of trustees were to conduct substantive reviews of candidates' qualifications, the Urbana campus would be unable to compete with other universities for the best faculty.

Direct participation by the board in substantive review of candidates' qualifications would introduce substantial delays into the hiring process. Under the current hiring practices, the campus's two-level substantive review of faculty candidates' qualifications is completed before the campus extends an offer of employment. Unlike the participants in this current two-level review process—the department, the dean, and sometimes the provost—the board would be unable, as a practical matter, to complete its review of the candidate's qualifications before the campus extends an offer.

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Nor, probably, would the board be able even to complete its review of the candidate's qualifications within a few weeks after the candidate's acceptance of the offer. The board currently meets only once every two months. This meeting schedule is consistent with the deliberative role assigned to the board by the University *Statutes*. The first sentence of the *Statutes*—in Article I, Section 1—states that “[t]he Board of Trustees formulates university policies but leaves the execution of those policies to its administrative agents, acting under its general supervision.” To require board members to review promptly the substantive qualifications of every candidate for faculty appointment not only would be onerous, it would be fundamentally incompatible with the board's deliberative, policy-formulating role.

Realistically, if the board were to conduct substantive reviews of candidates' qualifications, its review would occur several months after the candidate had accepted the campus's offer of employment, as does the board's current formal “confirmation” of candidates. But it is unrealistic to suppose that strong candidates for faculty positions would be willing to wait until several months *after* their acceptance of the campus's offer to learn whether they actually would be appointed. Because the University of Illinois at Urbana-Champaign is one of the world's premier research universities, candidates for its faculty positions are highly sought-after. It is unusual when candidates are *not* faced with a choice between the University of Illinois at Urbana-Champaign and a competing top university. If the Urbana campus were to condition every offer of employment on the uncertain outcome of a substantive board review process months later, the campus would be at a strong competitive disadvantage in relation to its peers, particularly those that—like the University of California system—have formally delegated the making of faculty appointments to campus or university administrators.

Moreover, requiring faculty candidates to endure months of uncertainty after their acceptance of the campus's offer would be inconsistent with the requirements of principled hiring and respect for current and future employees. In the interval between the candidate's acceptance of the university's offer and approval by the board of trustees, candidates routinely must relinquish existing tenured or tenure-track positions; turn down other offers of employment; and uproot their families. It is important to note that exposing recruited job candidates to financial risk in this manner is not typical in either the private sector or other areas of the public sector. It is true that candidates are on notice that the board of trustees might eventually reject their appointment; Provost Communication No. 3 requires that every candidate be advised that his or her employment is contingent on board of trustees' approval. However, in practice, Illinois has long relied on the assumption that board approval is *pro*

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forma; that assumption has allowed Illinois to appear to be more nimble in hiring than its formal policies and procedures actually imply.

The University of Illinois at Urbana-Champaign’s goal of attracting the very best faculty would be best served by amending the formal hiring policies to align them with the current and historical hiring practices followed by the Urbana campus.

The campus’s past success in attracting strong faculty candidates is attributable, in part, to the fact that candidates have assumed that the board’s approval of their appointments is *pro forma*. Recent actions have called that assumption into question. In theory, the board could remedy this by somehow reestablishing confidence among candidates that extended offers would not later be rescinded by board action. Yet even if the board could succeed in reestablishing such confidence, the board would need to minimize its role in a way that is, in practical terms, indistinguishable from delegation to administrators: the board technically would retain its power to disapprove appointments but only at the price of promising never to exercise this power. This sort of de facto delegation has nothing to recommend it over formal delegation.

The better alternative is to align the university’s formal hiring *policies* with the current and historical hiring *practices*. If the board were formally to delegate its authority over appointments to campus administrators, faculty candidates would not have to face even a theoretical risk that their appointments would be reversed months after their acceptance of the campus’s offer. Nor would campus administrators need to reassure candidates that their offers of employment, despite technically being conditioned on board approval, are actually unconditional for all practical purposes. At the same time, formal delegation would preserve all the strengths of the existing hiring processes. After delegation, departments and colleges—and where appropriate the provost—would continue to conduct rigorous substantive reviews of candidates’ qualifications. The board, in turn, would continue to oversee the appointments process through its power to appoint and reappoint the campus administrators—college deans and the provost—who ultimately are responsible for this substantive review.

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VIII. RECOMMENDATIONS

Recommendation No. 1: The board should continue its oversight of faculty hiring through the review and approval of all faculty administrative appointments at the level of deans and above.

Currently, both the hiring policies and the actual practices involve the board in a substantive review of administrative appointments at the level of deans and above. Each such appointment is submitted to the board as an individual agenda item and the board reviews and approves each appointment separately. Moreover, the board exercises ongoing oversight over the performance of administrators through the reporting line that extends up through the president, as well as through the annual re-appointment of those high-level administrative posts. The deans and provost perform the critically important role of ensuring that broader institutional interests are considered and honored through the mechanism of second level review of the originating department's appointment recommendations. This has proven to be a highly effective mechanism for the board and the university to ensure that the best faculty are recruited, as evidenced by the high stature and level of accomplishment of the faculty at the University of Illinois at Urbana-Champaign. Therefore, the committee recommends that the board continue its effective oversight of faculty hiring through its review and approval of administrative appointments at the level of deans and above.

Recommendation 2: The board of trustees should formally delegate its responsibility for tenured and tenure-track academic appointments that do not involve administrative positions at the level of deans and above to the president, who in turn should continue the existing policy of delegating to the chancellor and provost.

Formal delegation by the board of its authority over appointments to the president would ensure that the University of Illinois at Urbana-Champaign retains its ability to recruit and hire the very best faculty. The practices in place, which include a delegation of the presidential approval authority to the chancellor and to the provost, already ensure an appropriate and rigorous review of candidate qualifications by the faculty and department level administrators with the necessary expertise and include an effective second level review process by campus faculty administrators for whom there is a built-in accountability mechanism to the board. Moreover, if the board actually were to exercise its existing authority over appointments—by occasionally rejecting an appointment months after the candidate had accepted the campus's offer of employment—the consequences for the campus's ability to compete with other universities for strong faculty candidates would be

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severe. Accordingly, the committee recommends that the board align the hiring policies and actual practice by delegating to the president, who in turn delegates to the chancellor and the provost, the authority to approve tenure system faculty appointments that do not involve administrative positions at the level of dean and above.

This recommendation is consistent with practices at the university's peer institutions. Although some of the university's peer institutions do require formal board approval of all appointments, others empower presidents and chancellors to make appointments deliberately but swiftly. In the University of California system, for example, "[c]hancellors are authorized to approve all appointments, reappointments, merit increases, and promotions of academic personnel under their jurisdiction" (see University of California Academic Personnel Manual § 200-24, found at <http://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/appointment-and-promotion/index.html>). Likewise, Pennsylvania State University delegates authority over all appointments to the university president, who in turn delegates that authority to hire assistant professors to the deans.

<https://guru.psu.edu/policies/ohr/hr13.html>. At Penn State, faculty appointments with tenure, dean appointments and other executive positions are reviewed by the provost, with the president having final appointment approval.

<http://www.psu.edu/vpaa/p%20and%20t/immed%20review.htm>. Thus, in the California and Penn State systems, governing boards have opted to exercise their hiring oversight via the appointment of top administrators, thus creating more agile institutions.

Recommendation 3: The campus should review its procedures for off-cycle tenure cases to ensure that those processes continue to operate both rigorously and expeditiously.

When candidates are considered for appointments with tenure, timing issues preclude application of the usual "on-cycle" tenure-review procedures articulated in Provost Communication No. 9. Still, appointments with tenure at the associate professor and professor levels require careful scrutiny of the candidates' qualifications. They require, in the words of Provost Communication No. 3, "evidence justifying tenure that is comparable to the evidence required internally for the granting of tenure" (Provost Communication No. 3, at page 8).

The procedures governing "off-cycle" tenure reviews were considered in the Report of the Senate Executive Committee Task Force on Faculty Issues and Concerns, which was issued by the task force on September 16, 2013 and later was adopted by the faculty senate. In this

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review, the task force identified the “[l]ack of explicit procedures for off-cycle P&T reviews” as a reason for concern, but also acknowledged that it was “not aware of any abuses of [the off-cycle tenure-review process].” The task force’s concerns about the “lack of explicit procedures” appear to be focused primarily on reviews at the department and college level.

At the campus level the procedures for off-cycle reviews are specifically prescribed. Provost Communication No. 3 provides that the provost, before approving an appointment with tenure, “solicits comments” from what amounts to a de facto off-cycle promotion and tenure committee, composed of “the Chancellor, the Vice Chancellor for Research, Dean of the Graduate College, and Chair of the Campus Committee on Promotion and Tenure.” Like the Senate Task Force, this committee is unaware of any abuses of the off-cycle tenure-review process. The committee also is unaware of any case where the review process has failed to operate rigorously and expeditiously.

Still, in light of the critical role of off-cycle tenure review in the appointments process, and in light of the concerns raised by the Senate Task Force, the committee recommends that the campus examine the current procedures for off-cycle review. In particular, the campus should consider expanding the off-cycle promotion and tenure committee to include a broader spectrum of senior faculty with experience on the Campus Committee on Promotion and Tenure, with a view to ensuring that off-cycle reviews partake of the same rigor as on-cycle reviews.

This recommendation is in keeping with the committee’s recommendation that the board of trustees delegate its responsibility for appointments both at the assistant-professor level and at the tenured level. This recommendation is also in keeping with the principles of shared governance and in particular with the faculty’s responsibility to maintain academic excellence and the high professional standards appropriate to one of the world’s premier research universities.