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THE HONORABLE KARENA KIRKENDOLL
HEARING: OCTOBER 22, 2021

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

GILLIAN MARSHALL,

Plaintiff,

v.

THE STATE OF WASHINGTON,
UNIVERSITY OF WASHINGTON, a State
Agency, DIANE YOUNG, individually, JILL
PURDY, individually, and MARK PAGANO,
individually,

Defendants.

No. 19-2-11120-3

**DECLARATION OF MARK PAGANO IN
SUPPORT OF DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT**

Pursuant to RCW 9A.72.085, the undersigned hereby declares that:

1. I am the former Chancellor of the University of Washington Tacoma (UWT).
I served in that role from March 16, 2015 until September 15, 2021. As Chancellor, I had oversight over all operations at UWT. I am now a professor at UWT. I have personal knowledge of the matters set forth in this declaration and am competent to testify in this matter.

2. After two years, the University conducts a detailed review of a non-tenured assistant professor's progress through a process known as "reappointment." The reappointment review begins with a faculty committee that reviews the candidate's

1 performance. The process then proceeds to a recommendation by senior voting faculty
2 members in the program, then to a recommendation by the program director, then to the
3 campus chancellor who makes the final determination in conjunction with the EVCAA. After
4 Dr. Marshall's first reappointment review, the decision was made to postpone a final decision
5 on reappointment for one year. The decision to postpone reappointment did not change Dr.
6 Marshall's title, compensation, job duties, or timeline for applying for tenure.
7

8 3. After Dr. Marshall's second reappointment review, which was conducted in
9 the third year of Dr. Marshall's appointment, I agreed with Dr. Jill Purdy's conclusion that
10 Dr. Marshall should be reappointed to a second three-year term as assistant professor.
11

12 4. Attached hereto as Exhibit A is a true and correct copy of University of
13 Washington Executive Order No. 31 regarding Nondiscrimination and Affirmative Action.
14

15 5. Attached hereto as Exhibit B is a true and correct copy of the University of
16 Washington's Administrative Policy Statement 46.3 regarding the Resolution of Complaints
17 Against University Employees.

18 6. Attached hereto as Exhibit C is a true and correct copy of University Executive
19 Order 45 relating to qualifications and recommendations for promotion, tenure, and merit
20 increases.
21

22 7. After Dr. Marshall's second reappointment review, Dr. Marshall asked me to
23 initiate an institutional University Complaint Investigation and Resolution Office (UCIRO)
24 investigation to enable UCIRO to review Dr. Marshall's discrimination allegations going back
25 longer than one year. I agreed to do that, and asked UCIRO to investigate Dr. Marshall's
26 discrimination claims.
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1 8. Dr. Marshall's race was not a factor in any decision I made, or action I took,
2 that negatively affected, or could have negatively affected, Dr. Marshall.

3 I hereby declare, under penalty of perjury under the laws of the State of Washington,
4 that the foregoing is true and correct.

5
6 DATED this 23rd day of September, 2021, at Tacoma, Washington.

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MARK PAGANO

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CERTIFICATE OF SERVICE

On the date indicated below, I hereby certify that I caused to be served upon all counsel of record, via Linx eservice and email, a true and correct copy of the foregoing document.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 24th day of September, 2021, at Seatac, Washington.

s/Brenda K. Partridge
Brenda Partridge, Legal Assistant

ND: 12662.099 4828-2212-3003v1

EXHIBIT A

Presidential Orders

Executive Order**No. 31**

Nondiscrimination and Affirmative Action

1. Nondiscrimination and Non-Retaliation

The University of Washington, as an institution established and maintained by the people of the state, is committed to providing equality of opportunity and an environment that fosters respect for all members of the University community. This policy has the goal of promoting an environment that is free of discrimination, harassment, and retaliation. To facilitate that goal, the University retains the authority to discipline or take appropriate corrective action for any conduct that is deemed unacceptable or inappropriate, regardless of whether the conduct rises to the level of unlawful discrimination, harassment, or retaliation.

University policy:

- Prohibits discrimination or harassment against a member of the University community because of race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, genetic information, disability, or veteran status.
- Prohibits any member of the University community, including, but not limited to, academic personnel, staff, temporary staff, academic student employees, student employees, and students at all University campuses and locations, from discriminating against or unlawfully harassing a member of the public on any of the above grounds while engaged in activities directly related to the nature of their University affiliation.
- Prohibits retaliation against any individual who reports concerns regarding discrimination or harassment, or who cooperates with or participates in any investigation of allegations of discrimination, harassment, or retaliation under this policy, or any individual who is perceived to have engaged in any of these actions.

This policy is adopted in compliance with Title VII of the Civil Rights Act of 1964 ([42 U.S.C. 2000d et seq](#)) and the Pregnancy Discrimination Act, Title IX of the Education Amendments of 1972 ([20 USC § 1681](#)), Title I and II of the Americans with Disabilities

Act (ADA) of 1990 as amended, the Rehabilitation Act of 1973 (P.L. 93-11) and [45 C.F.R. Part 84](#), Title VI of the Civil Rights Act of 1964 ([42 U.S.C. 2000d et seq](#)), Title IV of the Civil Rights Act of 1964 ([42 U.S.C. 2000d et seq](#)), [Chapter 49.60 RCW](#), and Gender Equality in Higher Education ([Chapter 28B.110 RCW](#)).

2. Affirmative Action

In accordance with Executive Order 11246, as amended, and other applicable federal and state laws and regulations, the University, as a federal contractor, takes affirmative action to ensure equality of opportunity in all aspects of employment without regard to race, color, religion, sex, and national origin, and to employ and advance individuals with disabilities and protected veterans.

3. Access for Individuals with Disabilities

In accordance with the Americans with Disabilities Act (ADA), as amended, the Rehabilitation Act of 1973, and applicable federal and state laws, the University is committed to providing access and reasonable accommodation in its services, programs, activities, education, and employment for individuals with disabilities.

4. Definitions

Terms used in this policy are intended to have the meaning given to them by applicable federal or state laws and regulations.

- A. **Discrimination** is conduct that treats a person less favorably because of the person's race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability or veteran status.
- B. **Harassment** is conduct directed at a person because of the person's race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status that is unwelcome and sufficiently severe, persistent, or pervasive that:
 - 1) It could reasonably be expected to create an intimidating, hostile, or offensive work or learning environment, or
 - 2) It has the purpose or effect of unreasonably interfering with an individual's work or academic performance. Harassment is a form of discrimination.
- C. **Retaliation** means to take adverse action against individuals because they have (or are perceived to have) reported concerns under this policy or cooperated with or participated in any investigation related to this policy.

D. Sexual harassment is a form of harassment characterized by:

- 1) Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature by a person who has authority over the recipient when:
 - a) Submission to such conduct is made either an implicit or explicit condition of the individual's employment, academic status, or ability to use University facilities and services, or
 - b) Submission to or rejection of the conduct is used as the basis for a decision that affects tangible aspects of the individual's employment, academic status, or use of University facilities; or
- 2) Unwelcome and unsolicited language or conduct that is of a sexual nature and that is sufficiently severe, persistent, or pervasive that it could reasonably be expected to create an intimidating, hostile, or offensive working or learning environment, or has the purpose or effect of unreasonably interfering with an individual's academic or work performance. This also includes acts of sexual violence, such as sexual assault and sexual exploitation.

Domestic violence, relationship violence, stalking, and sexual assault are addressed in Executive Order [No. 51](#), Sexual Violence Elimination Policy, and [Chapter 478-120 WAC](#), Student Conduct Code for the University of Washington. Depending on the circumstances, each or all policies may apply.

E. Veteran status includes protected veterans as defined by current federal and state laws. It also includes individuals affiliated with the United States armed forces as defined by any federal or state law establishing protection for veteran service, including the Uniformed Services Employment and Reemployment Rights Act (USERRA), Executive Order 11246, and [Chapter 49.60 RCW](#).

5. Application of Policy

A. Academic Freedom

The University will interpret this policy on nondiscrimination and non-retaliation in the context of academic freedom in the University environment.

B. Selective Admissions

The University's admission policy provides for a selective admission process with the objective of attracting students who demonstrate the strongest prospects for high quality academic work. This selective admission process shall assure that the University's educational opportunities shall be open to all qualified applicants without regard to race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status. The process of admission shall be mindful of the need for diversity in the student body and for highly-trained individuals from all segments of the population.

C. Employment

The University will recruit, hire, train, and promote individuals without regard to race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status and based upon their qualifications and ability to do the job. Except as required by law, all personnel-related decisions or provisions such as compensation, benefits, layoffs, return from layoff, University-sponsored training, education, tuition assistance, and social and recreational programs will be administered without regard to race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status. Additionally, in accordance with Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), the University prohibits discrimination and harassment in any aspect of employment on the basis of genetic information. The University will also not request or require genetic information of an employee or family member of the employee, except as specifically allowed by GINA.

D. Recruitment

The University seeks affirmatively to recruit qualified minority group members, women, protected veterans, and individuals with disabilities in all levels of employment as part of its commitment as a federal contractor.

E. Nondiscrimination

Except as otherwise required by law and as provided in [Section 6](#) below:

- 1)** The University will operate its programs, services, and facilities without regard to race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status, and

- 2) The University will make its programs, services, and facilities available only to organizations or government agencies that assure the University that they do not discriminate against any person because of race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status.

F. University Housing

Except as required by law, assignments to University residence halls and other housing facilities provided for students are made without regard to race, color, creed, religion, national origin, age, disability, sexual orientation, gender identity or expression, or veteran status.

G. Contracting

The University will make reasonable efforts to lease, contract, subcontract, purchase and enter into cooperative agreements only with those firms and organizations that comply with all applicable federal and state nondiscrimination laws, including, but not limited to: Executive Order 11246, Title VII of the Civil Rights Act, [42 U.S.C. Sec. 2000e et seq.](#); the Americans with Disabilities Act (ADA), [42 U.S.C. Sec. 12101 et seq.](#); and Washington State's Law Against Discrimination, [Chapter 49.60 RCW](#).

6. Exceptions

A. Organizations Not Subject to Applicable Laws

This policy does not apply to organizations and government agencies that are not subject to otherwise applicable state or federal laws or regulations concerning nondiscrimination and non-retaliation.

B. University Housing

In accordance with [RCW 49.60.222](#), the University may consider sex, marital status, or families with children status in assignments to residence halls and other student housing.

C. Citizenship Status

It is not a violation of this policy to discriminate because of citizenship status which is otherwise required in order to comply with law, regulation, or executive order, or required by federal, state, or local government contract, or which the State Attorney General determines to be essential for an employer to do business

with an agency or department of the federal, state, or local government.

7. Complaint Procedures

The University provides internal procedures for the investigation and resolution of complaints alleging discrimination, harassment, or retaliation under this policy. The process for bringing a complaint against a University employee is described in [Administrative Policy Statement 46.3](#), Resolution of Complaints Against University Employees. The process for bringing a complaint against a University student is described in [Chapter 478-120 WAC](#), Student Conduct Code for the University of Washington.

8. Responsibility to Report and Cooperate

All University employees, including academic personnel, staff, temporary staff, academic student employees, and student employees are required to report to their supervisors or the administrative heads of their organizations any complaints of discrimination, harassment or sexual harassment. And/or retaliation they receive. In addition, all University employees are encouraged to inform their supervisors or the administrative heads of their units (and their Academic Human Resources Consultant or Human Resources Consultant), of inappropriate or discriminatory or retaliatory workplace behavior they observe. Supervisors and administrative heads who receive such reports have the responsibility to initiate a response by contacting an appropriate office as indicated in [APS 46.3](#).

All University employees are also required to participate, provide information as requested, including personnel or student files and records and other materials recorded in any form, and otherwise fully cooperate with the processes described in [APS 46.3](#).

9. Consequences of Violation of Policy

Any member of the University community who violates any aspect of this policy is subject to corrective or disciplinary action, including, but not limited to, termination of employment or termination from educational programs.

June 1972; October 24, 1974; April 1975; October 26, 1976; March 12, 1978; April 20, 1979; December 5, 1983; July 20, 1998; June 25, 2008; August 17, 2012; June 21, 2016.

EXHIBIT B

Administrative Policy Statement

46.3

Resolution of Complaints Against University Employees

(Approved by the Provost and Executive Vice President by authority of Executive Order No. 4, the Senior Vice President for Finance and Facilities by authority of Administrative Order No. 9, and the Vice President for Human Resources by authority of Executive Order No. 9)

1. Purpose

In the course of their education, employment, or use of University services, individuals may have complaints about the behavior of University of Washington employees or appointees (hereafter included in the term "employees"), including complaints alleging that the behavior of University employees may have violated the University's nondiscrimination and non-retaliation policies (Executive Order [No. 31](#)). This policy statement describes the processes individuals may use to lodge such complaints, referred to here as "complaints against employees."

These processes are available to:

- All University employees, including academic personnel, staff, temporary staff, academic student employees, and student employees;
- All students at all University campuses and locations; and
- To those not affiliated with the University (see [Section 5](#), Application of Policy).

It is against University policy to penalize or retaliate against any party for his or her participation in these complaint processes. The University provides employees reasonable release time from their regular work schedules to participate in these processes, following notification of appropriate administrative personnel.

2. Internal Complaint Processes

Complaints against University employees may be addressed using the following internal processes:

- Local investigation and resolution; or

- University Complaint Investigation and Resolution Office (UCIRO) investigation and resolution process.

Typically, internal processes are **not** undertaken simultaneously. The offices noted in [Section 7](#) can also provide consultation and information regarding these processes.

Individuals with disabilities requiring accommodation in order to participate in the complaint processes should contact the [Disability Services Office](#).

A. Local Investigation and Resolution

All individuals are encouraged to discuss complaints against University employees with the appropriate supervisor or, if the supervisor is the source of the conflict, with the administrative head of the employing organization. Complaints can also be referred to the appropriate human resources office (see [Section 7](#)).

The goal of the local complaint process is to address and resolve problems quickly and directly and to stop any inappropriate conduct that may be taking place. The investigation and resolution process time frame will vary based on the circumstances and complexity of the matter and how quickly necessary information can be obtained. The appropriate human resources office staff may facilitate the investigation and resolution process.

The local complaint process typically involves discussions with:

- The individual bringing the complaint, to learn about his or her concerns and the preferences for resolving them;
- The employee(s) whose behavior is the subject of the complaint; and
- Others that may have relevant information, as needed.

Generally, the individual, the employee(s) whose behavior is the subject of the complaint, and the supervisor or administrative head of the organization will be provided a summary of the allegations investigated and the facts determined. As warranted, corrective action may be taken involving the individual whose behavior is the subject of the complaint in accordance with the individual's employment program.

Human resources consultants may also facilitate discussion and, when appropriate, assist in implementing a resolution of the complaint.

B. UCIRO Investigation and Resolution Process

When an individual with concerns contacts UCIRO (University Complaint Investigation and Resolution Office), UCIRO will review the concerns to determine if

the matter falls within UCIRO's purview for investigation. UCIRO investigates complaints that a University employee has violated the University's nondiscrimination or non-retaliation policies. When concerns fall outside UCIRO's purview for investigation, UCIRO will refer individuals to other resources. A UCIRO investigation also may occur at the request of the administrative head of a University organization or in response to a complaint filed with a state or federal agency.

Matters which occurred more than 365 days prior to an individual request for investigation or, in the case of a state or federal agency complaint, outside the prescribed time periods, will not be accepted for a UCIRO investigation, but may be referred to other University offices. UCIRO investigations conducted at the request of an administrative head may encompass time periods beyond 365 days, depending on the scope and nature of the request.

In conducting a UCIRO investigation, the investigator acts as a neutral, objective fact-finder, and typically will interview the individual submitting the complaint, the employee(s) whose behavior is the subject of the complaint, and any other appropriate persons necessary to determine the facts. UCIRO attempts to investigate and resolve allegations of discrimination, harassment, and retaliation as quickly as possible. The time frame for completing an investigation will vary based on the circumstances and complexity of a matter and how quickly necessary information can be obtained. Whenever possible, investigations are completed within 60 working days.

When warranted, resolution teams composed of appropriate staff may be convened to attempt to resolve the complaint. While resolution activities are underway, the UCIRO investigation is usually suspended. If, during the course of the UCIRO investigation, the complaint is withdrawn or resolved, the UCIRO investigation will be closed.

When a UCIRO investigation requested by an individual is completed, the investigator will provide the individual, the employee(s) whose behavior is the subject of the complaint, and the supervisor or administrative head of the organization with a summary of the allegations investigated and the facts determined. As warranted, UCIRO will refer the result to the appropriate administrative head to determine whether corrective actions should be taken involving the individual whose behavior is the subject of the complaint in accordance with the individual's employment program.

There is no internal appeal mechanism; individuals who are not satisfied with the results of the UCIRO investigation may contact state or federal agencies.

3. Complaints Filed With State or Federal Agencies

Individuals have a right to file complaints alleging discrimination or retaliation with state or federal agencies. Such agencies generally have prescribed time periods for filing

complaints. State and federal agencies establish their own processes for responding to and processing these complaints. Filing a complaint with a state or federal agency can be done in lieu of or in addition to the University's complaint processes.

4. Responsibility to Report and Cooperate

All University employees, including academic personnel, staff, temporary staff, academic student employees, and student employees are required to report to their supervisors or the administrative heads of their organizations any complaints of discrimination, harassment or sexual harassment, and/or retaliation they receive. In addition, University employees are encouraged to inform their supervisors or the administrative heads of their organizations and their human resources consultant of inappropriate, discriminatory, or retaliatory workplace behavior they observe. Supervisors and administrative heads who receive such reports have the responsibility to initiate a response by contacting an appropriate office as indicated in this policy statement.

All University employees are also required to participate, provide information as requested (including personnel or student files and records and other materials recorded in any form), and otherwise fully cooperate with the processes described in this policy statement.

University employees who fail to report complaints received or to cooperate fully with these complaint processes are subject to disciplinary action by their supervisors or the administrative heads of their organizations. If a supervisor or the administrative head of an organization disciplines a University employee as a result of information obtained in the course of these processes, the employee may appeal such disciplinary action through the mechanisms appropriate to his or her employment status.

5. Application of Policy

This policy statement does not address, and the expression "complaints against employees" does not encompass, complaints for which other specific administrative or contractual procedures exist, such as collective bargaining agreement or union contract grievances, the professional staff complaint process, whistleblower complaints (per [APS 47.1](#)), or allegations of scientific misconduct (per Executive Order [No. 61](#)).

Further, this policy statement does not affect the following:

- Classified non-union employee rights to appeal alleged civil service rule violations to Washington State in accordance with [Title 357 WAC](#). However, concerns regarding the interpretation or application of Washington State rules may be addressed through the local investigation and resolution option of this policy statement and, if not resolved, are considered withdrawn.
- Faculty member's rights under the "Administrative and Conciliatory Proceedings for the Resolution of Differences" and "Adjudicative Proceedings for the Resolution

of Differences" (*Faculty Code*, Chapters [27](#) and [28](#) respectively). Contact the [Secretary of the Faculty](#) for more information.

- Student conduct, except in those cases where the behavior is related to their status as employees. All other complaints about the conduct of students should be made to the appropriate student conduct office for the [UW Bothell](#), [UW Seattle](#), or [UW Tacoma](#) campus.
- Patients' or family members' rights to report any concerns about care and safety, or to register a complaint, with any member of the medical staff, with the manager or staff at the point of care or service, or with [Patient Relations](#). The University may obtain the assistance of UCIRO when such complaints allege discrimination, sexual harassment, or retaliation for making such complaints.

6. Additional Resources

A. Title IX/ADA Coordinator

The University's Title IX/ADA Coordinator is available to review individual concerns relating to compliance and to provide compliance support for programs, departments, schools, colleges, and campuses relating to discrimination based on sex or disability and providing access and reasonable accommodation for persons with disabilities. For more information, see the [Title IX/ADA Compliance Support program](#).

B. University Ombud

The Office of the Ombud is available to help individual members of the University community explore and assert their rights and interests within the University and to improve the fairness and effectiveness of the University's systems and operations. For more information about the University Ombud, see Executive Order [No. 18](#) and the [Office of the Ombud](#) website.

7. Additional Information

For additional information about this policy, contact the following:

[Academic Human Resources](#) (for complaints involving academic personnel, librarians, and academic staff) phone: 206-543-5630

[Equal Opportunity and Affirmative Action](#); phone: 206-543-1830

[UCIRO](#) (for complaints involving University employees, including student employees) phone: 206-616-2028

Human Resources

[Campus Human Resources](#) (for complaints involving UW Seattle, UW Bothell, and UW Tacoma campus employees, including student employees) phone: 206-543-2354

[Harborview Medical Center \(HMC\) Human Resources](#) (for complaints involving HMC employees, including student employees) phone: 206-744-9220

[UW Medical Center \(UWMC\) Human Resources](#) (for complaints involving UWMC employees, including student employees) phone: 206-598-6116

May 1, 2002; April 4, 2011; RC, February 27, 2013; April 17, 2015.

EXHIBIT C

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Presidential Orders

Executive Order

No. 45

Documentation of Qualifications and Recommendations for Promotion, Tenure, and Merit Increases

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When submitting to the Provost's Office a recommendation for promotion or the granting of tenure or merit salary increase, the dean of the school or college or chancellor of UW Bothell or UW Tacoma is requested to present a detailed documentation of the recommendation. The primary data would originate from the academic unit. Faculty and chairs or program directors are directed to give careful attention to all phases of the candidate's service to the school, college, or campus, and the University. Characteristic types of contributions to the University are described in the following sections:

1. Teaching

An essential qualification for the granting of tenure or for promotion is the ability to teach effectively. Some elements in assessing effective teaching are: the ability to organize and conduct a course appropriate to the level of instruction and the nature of the subject matter; the consistency with which the faculty member brings to the classroom the latest research

ADMINISTRATIVE POLICY STATEMENTS (APS)

BOARD OF REGENTS GOVERNANCE (BRG)*

EMPLOYMENT AND ADMINISTRATIVE POLICIES (EAP)*

FACULTY CODE AND GOVERNANCE (FCG)*

PRESIDENTIAL ORDERS (PO)*

STUDENT GOVERNANCE AND POLICIES (SGP)*

WASHINGTON ADMINISTRATIVE CODE: TITLE 478 WAC - UW RULES (WAC)

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*Formerly part of the University Handbook

findings and professional debates within the discipline; the ability to stimulate intellectual inquiry so that students develop the skills to examine and evaluate ideas and arguments; the extent to which the faculty member encourages discussion and debate within the course to enable students to articulate the ideas they are exploring; the availability of the faculty member to the students beyond the classroom environment; the regularity with which the faculty member examines or re-examines the organization and readings for a course and explores new approaches to effective educational methods. A major activity related to teaching is the faculty member's ability to participate in academic advising and counseling, whether this takes the form of assisting students to select courses or discussing the students' long-range goals. The faculty member's concern for the progress and well being of the students is an inseparable adjunct to the classroom.

2. Research

All members of the faculties must demonstrate scholarly ability and attainments. Their qualifications are to be evaluated on the quality of their published and other creative work, the range and variety of their intellectual interests, their success in achieving an appropriate level of independence and/or collaboration, their success as appropriate in securing external support, their success in training graduate and professional students in scholarly methods, their participation and leadership in professional associations and in the editing of professional journals, and their potential for continued success in scholarly attainments. Attainment may be in the realm of scholarly investigation, in the realm of constructive contributions in professional fields, or in the realm of the creative arts.

3. Service

The scope of the University's activities makes it necessary for members of the faculty to engage in many activities outside of the fields of teaching and research. These may include participation in University committee work and other administrative tasks, clinical duties, and special training programs. The University recognizes the value of its faculty in rendering these internal services as well as extramural professional services to schools, to industry, and to local, state, national, and international organizations.

4. Other Considerations

In arriving at recommendations for promotion or tenure, faculty and chairs or program directors are directed to study the whole record of candidates. To warrant recommendation for the granting of tenure or for promotion in the professorial ranks, a candidate must have shown outstanding ability in teaching or research, an ability of such an order as to command obvious respect from colleagues and from professionals at other universities; and substantial contribution in other phases. The qualifications of teaching and research must remain unequivocally the central functions of the faculty,

but administrative and other internal and extramural professional services must also be recognized.

The factors with reference to the granting of tenure or for promotion thus far mentioned have to do with the qualifications of the candidate as an individual and may be regarded as the intrinsic factors. Consideration must also be given to the way in which the candidate will fit into the present and foreseeable future of the academic unit. Does there appear to be a place for a candidate with these special interests? Will a given candidate help to bring the academic unit into balance or throw it out of balance? Does a given candidate demonstrate high standards of professional integrity and conduct, and a commitment to the sharing of academic and administrative duties sufficient to contribute to the achievement of the academic unit's goals? It does happen that individuals whose performance would otherwise warrant the granting of tenure should not, and cannot, become tenured here because the special nature of faculty requirements in the academic unit makes it impractical.

Formerly University Memorandum No. 70, June 15, 1964; Executive Order No. 45 of the President, June 1, 1972; March 21, 1978; April 20, 1979; RC, July 5, 2011; July 3, 2013.

For related information, see:

- Executive Order [No. 59](#), "Excess Compensation to Faculty"
- Executive Order [No. 64](#), "Faculty Salary Policy"
- *Faculty Code*, [Chapter 24](#), "Appointment and Promotion of Faculty Members"
- Administrative Policy Statement [41.1](#), "Salary Payments and Employment Periods for Academic Personnel"