After discussion with the deans and the department heads and in consultation with Kathryn Roeder, Vice Provost for Faculty, and Jim Mercolini, Deputy General Counsel, the Office of the Provost has finalized the following clarifications of several policies and practices affecting faculty at Carnegie Mellon.

1. Recruitment and Retention

We are all challenged to deploy our limited resources in the most effective and strategic way. If we are to achieve our vision and objectives, recruitment and retention of the very best faculty are critical. In order to help assure our success in this area, we are implementing the following changes and working on the initiatives described below.

A. Dual Career Program Guidelines for Faculty. Guidelines (attached to this memo) have been developed to assist with the funding of positions to support partners of tenure-stream faculty who the University is trying to recruit or retain. The Provost’s office will provide up to one-third support for the partner for up to three years, provided the remainder of the support is available from the college/school hiring the target faculty member and the college/school hiring the partner. A typical split would involve equal commitments (1/3) from each of the following: the unit recruiting or retaining the target tenure-track faculty member, the unit hiring the partner, and the University. However, the 2/3 split between the two units may be subject to negotiation.

Requests must be made by the Dean/Department Head of the unit recruiting or retaining the target tenure-track faculty member and require the support of the Dean/Department Head of the college proposing to hire the partner. Requests will be evaluated based on merit and will be dependent on the overall budget for the program. In any event, the 1/3 financial support from the provost will not extend beyond 3 years.

B. Open Faculty Slots. When a faculty slot opens up (whether because of resignation, retirement, non-renewal, non-promotion, denial of tenure or death), the open slot will return to the college and the cognizant Dean, in consultation with the department leadership, who will be responsible for allocating slots (or portions of slots) among units in line with the strategic mission and objectives of the college or school. The open slot may or may not return to the department at issue, but this practice will assure that the Dean is involved in the decision-making and that there is a discussion of college/school priorities to inform recruiting decisions.
C. Cluster Hires. We are currently developing a framework for the support of cluster hires which would involve some shared commitment of funding from the participating units and from central.

2. AAU Policy on Faculty Recruitment

As you know, Carnegie Mellon is a member of the Association of American Universities (AAU). The AAU has adopted policy statements on faculty recruitment which, while not legally binding, encourage member institutions to conduct recruitment of faculty members and make offers of employment prior to May 1. Where offers of employment are made on or after May 1, the AAU suggests that the effective date of such offers should allow the recipient to conclude a full academic year at his/her current academic institution before transitioning. In the exceptional circumstances where it is necessary to make an offer on or after May 1 with the effective date during the academic year immediately following, the statements set forth expectations regarding the obligations of the parties involved, including the faculty member and the two institutions. Going forward, if you feel it is necessary to extend offers after May 1 or to make offers prior to May 1 that will remain open after May 15, please let us know so that we can determine how best to handle these situations in keeping with the AAU policy statements.

3. Tenured Faculty Retirement Program

In response to questions from Deans and Department Heads, we have recently amended the University’s Retirement Options Policy for Tenured Faculty. Among other things, the policy was amended to provide a one-time option for long serving faculty who wish to transition to retirement.

Under the University’s original plan, there were 3 windows during which tenured faculty could elect to participate: the first window period began on the July 1 coinciding with or immediately preceding the date on which the tenured faculty member reached the age of 64 and ended on the June 30 immediately following; the second window began on the July 1 coinciding with or immediately preceding the date on which the tenured faculty member reached the age of 65 and ended on the June 30 immediately following; and the third window began on the July 1 coinciding with or immediately preceding the date on which the tenured faculty member reached the age of 66 and ended on the June 30 immediately following. The incentive payment for election during the first window was equal to the faculty member’s base pay for the academic year that ended with retirement; for the second window, it was equal to two-thirds of base pay; and for the third window, it was equal to one-third of base pay. Thus, in its previous form, the plan contemplated a decreasing incentive.

We have revised the structure of the monetary incentive option to combine the 3 separate windows into 1 expanded window (64 to 66), and we have also eliminated the decreasing incentive such that no matter when a faculty member chooses to exercise this option during the expanded window, he/she will be eligible to receive an incentive equal to his/her full base academic year salary for the academic year that ends with retirement. The Total Compensation Committee approved the amendments to the Retirement Options Policy at its meeting in June 2016, with the revised policy taking effect September 1, 2016. See revised Policy to Provide Retirement Options for Tenured Faculty.

Because the University made changes to this policy, the law requires that for 180 days following the effective date of the revisions to the policy, the University must make the program available to anyone who is already over the upper age limit (66). In order to elect to participate in this one-time window, the faculty member must notify the provost in writing before February 28, 2017 that s/he irrevocably elects to retire by the end of the first full academic year thereafter at the latest. An email announcing these changes and
communicating the one-time option for faculty already over the upper age cap was sent on September 2, 2016 to all tenure track faculty.

4. Appointments

In order to standardize the terms of faculty offer letters, avoid inaccurate terms and conflicts with faculty policies, and assure that all essential terms are included, the Office of General Counsel is preparing template letters for initial faculty appointments on all faculty tracks. These will be posted on the Vice Provost for Faculty’s website. The templates contain the standard terms, and can still be customized or personalized. Also, if the track templates don’t “fit” a particular circumstance (e.g., joint appointments), the Office of General Counsel will be available to assist in drafting an appropriate offer letter.

5. Initial Appointment Approvals

Each of the faculty track policies includes its own provisions regarding the approvals that are required for initial faculty appointments on the track. These provisions are confusing, conflicting and onerous. As a result, there are significant disparities between the approvals required by our faculty policies and what has been done in practice. When we review and refresh our faculty track policies, we plan to address these issues. In the interim, however, we will follow the simplified rules below.

A. Any initial appointment on any track that commits University-level funding (salary, start-up, etc.) or space must be approved by the Provost in writing before any commitments are made. Among other things, this will allow the Provost’s office to track these central obligations.

B. For initial tenure track appointments, the only appointments that will be approved at the University level and submitted to the Board of Trustees will be those that confer tenure (e.g., associate with tenure or full tenured).

C. For all other initial faculty appointments, schools and colleges will be expected to follow the process set forth in their local policies or required as a matter of practice to vet and approve new faculty hires or transfers, and obtain approval of the Dean. Approvals at each level should be documented.

6. Tenure at Multiple Institutions

Tenured faculty at Carnegie Mellon cannot concurrently hold tenure at any other institution. The Appointment and Tenure Policy cites as a basis for termination of a faculty appointment with indefinite tenure “commencement of an accepted superseding appointment (e.g., . . . upon entering on a permanent position at another institution).”

While a handful of historical exceptions may have been granted on the basis that the other position was at an institution abroad, these situations can create unresolvable problems, including among other things conflicts of interest, conflicts of commitment, IP issues, and funding issues.

We have asked the Deans to inform us of all such situations in their schools/colleges, including providing any documentation of approvals that may have been granted. We will need to consider how best to handle, and will exercise discretion in deciding whether a formal exception is possible and appropriate.
Going forward, we should not be offering tenure-track appointments to anyone who currently holds a tenure track position elsewhere unless he/she has indicated his/her intention to resign from that appointment, and follows through on that commitment.

7. Leaves of Absence Applications and Approvals.

While we have better documented and tracked faculty leaves of absence over the past year, we need to review and revise the faculty leave of absence policies. Among other things, they are confusing, create often overlapping forms of leave, and do not clearly indicate eligibility standards. We plan to address these policies as a matter of priority in the coming year. In the interim, we have implemented the following process changes as of September 1, 2016:

A. Professional Leave. When a faculty member requests an initial year of professional leave (with or without University funding), the Dean has the authority to approve. For any request to extend the leave beyond the first year, Provost approval will continue to be required.

Notwithstanding this change in required approvals, all leave applications for an initial year (once approved by the Dean), must be sent to Becky Culyba, Director of the Office of the Provost, so that the University can track leaves and assure that appropriate stakeholders (including the University’s Leaves Manager and Benefits) are aware of the terms of the leaves being granted.

B. Personal Leave, Faculty Family Leave, Faculty Parental Leave, Public Service Leave (and FMLA). For these forms of leave, the Provost has delegated approval authority to Vice Provost Roeder. Otherwise, the application and approval processes will remain the same.

8. Retroactive Tenure Clock Stoppages

Certain forms of faculty leave allow for exclusion from current service or “stoppage of the tenure clock” as well as concomitant delays of interim reviews for reappointment or promotion. Recently, several requests have been made to exclude service / stop the tenure clock and delay reviews retroactively for faculty who chose not to take leave, but now claim lack of productivity and progress. These requests should be made at the time of the event or circumstances that would have entitled the faculty member to take leave (or at least within one year thereafter), rather than retroactively.

Where one of your faculty members asks you to support a retroactive / untimely request and the reason is related to a medical or family issue and implicates the Americans with Disabilities Act, Family and Medical Leave Act or other laws or policies, you should consult with the Office of General Counsel. Where the request for retroactive exclusion/clock stoppage/delay is not related to one of these issues, however, the request should be denied on the basis that it was not timely made.

Please note that all requests for exclusion from current service or “stoppage of the tenure clock” as well as concomitant delays of interim reviews for reappointment or promotion should be submitted in writing to the Provost for approval.
Appendix

Dual-Career Program Guidelines for Faculty Recruiting and Retention

**Goal:** to recruit and retain the best faculty available for Carnegie Mellon University when partners also have academic careers.

**Program:** The Vice Provost’s office will consider requests to provide support for partners of tenure-stream faculty the University is trying to recruit or retain.

- Given its goal, the program is available only to partners of tenure-stream faculty the University is trying to recruit or retain, and the size of the commitment in each case will depend upon the desire to recruit or retain the primary target of the recruitment or retention.

- The Provost will provide one-third salary support for up to three years, provided the remainder of support is provided by the college hiring the target faculty member and the college hiring the partner. A typical balance would be (1/3- 1/3-1/3 split), but the balance of 2/3 fraction can be negotiated between the target/hiring partners. Typically, it is desirable for the unit hiring the partner to have a financial commitment.

- Requests must be made by the dean/department head of the college recruiting or retaining the target faculty member and need to be supported by the dean/department head of the college proposing to hire the partner.

- Opportunities for the partner at CMU are typically tenure track, teaching track, research track or visiting professorships, but high-level staff positions are also an option. The commitment to the partner position need not be long term. It is anticipated that in some situations the position will be temporary, providing the partner the opportunity to search for a permanent position while meaningfully employed. Occasionally, it will be possible to coordinate with the University of Pittsburgh, but they only support offers for temporary positions. They do not envision using the dual career plan for tenure track offers.

- Each request will be evaluated based on its individual merit and in the context of the overall budget for the program.

- Regardless of the outcome of the partner’s position, the 1/3 financial support from the provost will not extend beyond 3 years.

- The program will be over seen by the Vice Provost for Faculty. An individual will serve as the point of contact in the Vice Provost’s office for the colleges. He/she will maintain the list of college contacts as well as contacts at Pitt.

- Written proposals should be prepared describing the proposed arrangement including the financial plan, the merit of the partner, and the importance of recruiting/retaining the target.