

## **PROCEDURES FOR REVIEW AND ADVANCEMENT IN THE LIBRARIAN SERIES FOR LIBRARIANS**

**University of California, Santa Barbara**

### **I. INTRODUCTION**

The authority for the procedures outlined herein is the UC/UCAFT Professional Librarian Unit, Memorandum of Understanding (MOU) Articles 4 and 5, and the Academic Personnel Manual (APM), 360-6-a. Local procedures provide guidance, clarification, and further delineation of the MOU and the Academic Personnel Manual.

The Executive Vice Chancellor has delegated to the University Librarian the responsibility and authority to provide for review of the qualifications of candidates for merit increase, promotion, and career status actions. The review of each candidate shall include participation of a review committee composed of members of the Librarian Series and selected according to LAUC-SB procedures. The review committee shall advise the University Librarian on the merit increase, promotion, and career status actions for members of the Librarian Series.

### **II. PERFORMANCE REVIEWS AND ADVANCEMENT**

#### **A. Definitions**

1. The academic review file, sometimes referred to as the "review packet" or "packet," is the set of documents related to the performance review of a librarian as described by MOU 5-H. The original review file for a review cycle currently underway is normally housed in a single binder. The file consists of: Certification Statement, Documentation Checklist, candidate's current Statement of Duties and Responsibilities and all previous statements, current Curriculum Vitae (CV), the candidate's narrative summary, the review initiator's evaluation, and pertinent letters, if any. Comments prepared by the reviewing officer may be included in the file. (MOU 5-E) The review initiator, upon completion of his/her evaluation, shall present to the candidate a copy of the original review file including redacted copies of confidential materials.

2. The Call is a set of documents related to academic reviews that is distributed by the Library Human Resources Office to every member of the Librarian series before the first action in each yearly review cycle. The Call provides each librarian with notice of his/her eligibility for review for a merit increase, promotion, or career status action; the calendar of due dates for the current review cycle; and forms and procedures for the review process. The list of eligible librarians is shared with department heads and AULs.

3. The calendar, distributed along with the Call before the first action in each review cycle, sets deadlines for each review action in order to ensure that all reviews will be completed in a timely manner and salary actions processed to take effect at the start of the next fiscal year. The calendar shall be adhered to by all parties. Deadlines may be extended upon mutual agreement of the affected parties. (MOU 5-D)

4. The Candidate's Statement of Duties and Responsibilities is a formal statement of job responsibilities, signed by the candidate and his/her supervisor. The current statement and all previous statements shall be included in the review file.

5. Career status is a review action achieved upon successful completion of a suitable period in potential career status, during which the candidate undergoes periodic review of performance, professional competence, achievement, and potential for further professional growth. (MOU 4-D) At the Associate Librarian or Librarian ranks career status may be granted as a separate action not associated with another review, such as a merit increase or promotion.

6. A deferred review is the omission of a performance review in a year when a candidate's review would normally take place, due to a prolonged absence or other unusual circumstances. It is a neutral action that shall be initiated only with the written consent of the candidate. (MOU 4-E-2c)

7. A merit increase is an advancement in salary within the same rank in the Librarian Series, following a positive review. (MOU 4-E-1b)

8. The narrative summary is a concise overview, prepared by the candidate, of the most significant accomplishments and activities engaged in under each of the criteria as appropriate, during the review period, indicating the levels of participation, contribution, and impact.

9. A no-action review is one of the following two types of review action: (1) a neutral, non-prejudicial action for those at the top salary point of the Associate Librarian or Librarian ranks; librarians may remain at these steps indefinitely without prejudice, undergoing periodic review at the standard interval designated for their rank. (2) An action intended to address performance issues and including a remediation plan. (MOU 4-D-5g) In the case of (2), the candidate was eligible for a merit increase or promotion, but the review evaluation determined that there was significant reason to doubt that he/she was performing satisfactorily in one or more areas of primary responsibility during the period under review. (MOU 4-E-1d) Under exceptional circumstances, salary points may still be awarded with a no-action review. (MOU 13-C-2d-3).

10. An off-cycle review takes place as part of an annual review cycle, but earlier than the standard review period (2 or 3 years) for any given candidate. An off-cycle review may not be initiated by the candidate.

11. A promotion is advancement to the next higher rank within the Librarian Series. (MOU 4- E-1c)

12. A remediation plan is a written document provided to a candidate by the review initiator to address a perceived deficiency, if there is substantial doubt that the candidate is performing satisfactorily. (MOU 4-D-5g) Review initiators shall consult with Library Administration prior to implementing a written remediation plan. The plan may be provided by the review initiator at any time during a review period, or it may be the outcome of a review. It shall clearly describe the deficiency and provide steps for improvement. The steps shall be specific, measurable, achievable, and relevant. The plan shall clearly designate a remediation period and the period shall be of reasonable length. See D-1-c1.

13. The review initiator is the candidate's immediate supervisor and is responsible for preparing the candidate's academic review file. Ordinarily a department head or Assistant/Associate University

Librarian (AUL), this person initiates the review, informs the candidate about the review process, writes an assessment of the candidate's performance, and makes a recommendation for a review action.

14. The review period is the time since appointment, the last review period, or the period covered by a remediation plan. A period under review will be based on a calendar year and multiples thereof, or at least six months if covered by a remediation plan. For purposes of review, an appointee must have worked at least six (6) months of the period under review for it to count as a year of service; this period of service is calculated from the beginning of the first complete calendar month of service. Generally, the period under review is from January to December of the second or third year (i.e. the December of the year in which the review is initiated). A candidate with an effective date of appointment in the period of January 1 through July 1 will be credited with one year of service at that rank. A candidate with an effective date of appointment in the period July 2 through December 31 will not be credited with service for that year. (MOU 4-D-7)

15. The reviewing officer is the line AUL. When the review initiator is an AUL, or the line AUL is unavailable, the AUL-ODE serves as the reviewing officer. The reviewing officer examines the review file for completeness and adherence to the standards set forth in the criteria for personnel actions in the Librarian Series. He/she reviews the file and may include comments.

16. Termination ends the employment of a librarian as a member of the Librarian Series at the University of California. If a review has determined that the candidate has failed to maintain a satisfactory level of performance and has not met the criteria for continuation or advancement, there is no obligation on the part of the University to continue, advance, or promote, and therefore the recommendation can be for termination. (MOU 4- E-1e) (MOU 4-C-1)

## **B. Criteria**

The criteria for continuation, advancement, and promotion in the Librarian Series are outlined in MOU 4-C1-2.

## **C. Provision for Peer Review**

1. Objective and thorough review of the performance of members of the Librarian Series by peers, as well as management, is mandated by MOU-5. Participation of a peer review committee composed of members of the Librarian Series, in each performance review, is in accord with this requirement. The LAUC-SB Committee on Advancement and Promotion (CAP) and ad hoc review committees are considered peer review committees.

2. CAP is composed of members of the Librarian Series, selected according to LAUC-SB procedures as provided in MOU 5-A. CAP serves as a standing review committee for all academic personnel actions for members of the Librarian Series. CAP consists of four members: a chair, a vice-chair/chair-elect, and two members-at-large. Each of the four members serves a two-year term. The chair and vice chair must have career status. Members-at-large must have career status or potential career status and must have successfully completed at least one review cycle as a member of the Librarian Series at the University of California. No member of CAP may serve for two consecutive full terms.

3. At each annual LAUC-SB election, the membership shall elect a vice-chair/chair-elect and a member-at-large. Two candidates for vice-chair/chair-elect shall be nominated by CAP, and two candidates for member-at-large shall be nominated by the Executive Committee of LAUC-SB. It is a professional responsibility of each member of the Librarian Series to serve on CAP.

4. For each candidate in any one review cycle, CAP assesses the qualifications for a specific review action as documented in the review file, applying the criteria for advancement given in MOU 4-C. Upon completion of its deliberations on each file, CAP prepares, for consideration by the University Librarian, a report of its analysis and a recommendation for a specific review action. The report refers to supporting documentation in the file, including the report of an ad hoc review committee, if any.

5. A member of CAP may be recused from a specific review under the following circumstances: (1) the member is the candidate under review; (2) the member is the review initiator of the candidate under review; (3) in the member's own judgment, he/she may lack objectivity in regard to the review; (4) the member has been identified by the candidate as someone who might not evaluate that candidate objectively. (MOU 5-G-1) Three members of CAP constitute a quorum. If a quorum is not available, a member of the previous year's CAP shall serve as alternate, in the following order: (1) senior member-at-large, (2) chair.

6. An ad hoc review committee may be requested by a candidate, review initiator, reviewing officer (AUL), or CAP. The University Librarian determines the need for an ad hoc review committee and appoints its members from a list of three nominees and three alternates submitted by CAP. Each ad hoc review committee consists of three members of the Librarian Series, at least two of whom must have career status, and one of whom may have career status or potential career status. When the recommendation of any level of review is against career status or for termination, there shall be an ad hoc review committee. The formation of an ad hoc review committee shall be kept in confidence with those at the requesting level and above. Circumstances for recusal of an ad hoc committee member from a specific review are the same as those for CAP members. (II.C.5) The candidate shall receive a redacted copy of the ad hoc committee report at the end of the review cycle.

7. For each candidate assigned to it, an ad hoc review committee assesses the qualifications for a specific review action as documented in the review file, applying the criteria for advancement given in MOU4-C. On completion of its deliberations on each file, an ad hoc review committee prepares a report of its analysis and a recommendation for a specific review action. The report refers to supporting documentation in the review file. The report and recommendation of an ad hoc review committee become part of the review file to be considered by CAP and forwarded to the UL.

8. The deliberations of review committees, and the membership of an ad hoc committee (if any), are confidential. When a review committee releases a review file, all committee notes relating to the deliberations on that file are destroyed. The AUL-ODE normally acts as a liaison between review committees and all other parties to a review, transmitting review files, committee requests, and other appropriate communications.

#### **D. Procedures for Performance Reviews**

## 1. Initiation of reviews

a. As required by MOU 5-D, the AUL-ODE issues the Call annually to each librarian. The Call consists of (1) notification of the librarian's eligibility for review; (2) a calendar of action dates for the review process; (3) referral to a set of instructions for reviews based on MOU 4 and 5 and this procedures document; and (4) referral to the form Review of Qualifications, Librarian Series.

b. The AUL-ODE prepares a comprehensive list of persons scheduled for review actions in the current review cycle in keeping with the frequency of review at each rank required by MOU 4-E-2, computing eligibility on the basis of number of intervals since each candidate's last review. This list is verified by the AULs and the chair of CAP for each candidate's status. Copies of the final list are distributed to review initiators and members of CAP prior to the first scheduled action of the review cycle.

c. A review initiator shall consult with Library Administration prior to initiating an off-cycle review. At least 30 days prior to the first review action, the candidate shall receive written notice from the review initiator that an off-cycle review has been scheduled. Off-cycle reviews follow standard review procedure and are conducted under one of the following two circumstances only:

(1) A librarian who has received a written remediation plan may subsequently be scheduled for an off-cycle review if the remediation period has been judged reasonable. Otherwise, a regularly scheduled review may be conducted. In either case, the review initiator's assessment for the review shall evaluate the extent to which the appointee has addressed the deficiencies outlined in the remediation plan. The remediation plan shall be included in the review file.

(2) A review initiator may initiate an off-cycle review for a supervisee whose performance he or she deems to have been exceptional.

d. A librarian or the review initiator may request a deferred review when there has been insufficient evidence to evaluate performance due to prolonged absence or other unusual circumstances within the period under review. A deferred review is a neutral action that can be initiated only with the written agreement of the librarian. (MOU 4-E-2c) A request for a deferred review, setting forth the reasons, must be in writing and submitted to the review initiator, the AUL, and the chair of CAP within 10 calendar days following receipt of the Call. All documentation and recommendations at the various levels must be forwarded to the University Librarian for a final decision. (MOU 4-E-2c(1)) If approved by the University Librarian, the deferral is for a period of one year regardless of the librarian's normal cycle.

e. Service at the top of the Associate Librarian or Librarian rank may be of indefinite duration. Reviews for librarians at these ranks are no-action reviews that follow standard review procedures and shall not be abbreviated. (MOU 5-B)

## 2. Deadlines for Completion

a. Deadlines for completion of each step in the review process, in keeping with the calendar distributed in the Call, are to be adhered to by all parties to a review. Deadlines may be extended upon mutual agreement of the affected parties.

b. If a candidate fails to provide the review initiator with a completed review or to secure an extension, the review initiator will complete his/her portion of the review and forward the file to the next level, in keeping with the review calendar. Because the performance of each appointee shall be reviewed periodically, the failure of a candidate to complete a review or adhere to deadlines or extension of deadlines may result in a corrective action.

### 3. The Candidate

a. The candidate may prepare a list of names of individuals from whom letters are appropriate to assist the review initiator in assessing the performance and qualifications of the candidate or in evaluating specific activities. (MOU 5-G) The list may designate the specific professional area or activity to be reviewed by each person whose name is submitted. External letters need not be submitted for merit and no-action reviews, and the absence of such letters in the review file shall in no way prejudice the outcome of the review; the same applies to promotion from the rank of Assistant Librarian to Associate Librarian. For promotion from the rank of Associate Librarian to Librarian, external letters are required, and it is in the candidate's best interest to submit one or more names of persons from whom such letters may be solicited.

b. The candidate may provide in writing to the review initiator or other appropriate person a list of persons who, in the view of the candidate, for reasons set forth by the candidate, might not objectively evaluate in a letter or on a review committee the candidate's qualifications or performance. (MOU 5-G-1) The statement provided by the candidate shall be included in the review file. The University decision regarding the requested disqualification shall not be subject to grievance and arbitration.

c. The candidate participates in one or more preliminary review conferences scheduled by the review initiator. In the conference(s), he/she discusses with the review initiator the entire review process, including the criteria, documentation, and review calendar. The candidate and review initiator shall also discuss the formal review action to be put forward in cases where there is more than one possibility; for example, when there is the option of review for promotion. In addition, they shall discuss the role in the review of coordinators, department heads, or others who have oversight of specific areas of the candidate's responsibilities.

d. A candidate who has achieved a salary point that overlaps with the next rank may request a promotional review. (MOU 13-C-2e) A candidate who has completed six years of service at the Assistant Librarian rank is required to undergo a promotional review, even if he/she has not achieved a salary that overlaps with the Associate Librarian rank. (MOU 13-C-2g)

e. Using the form Review of Qualifications, Librarian Series, the candidate prepares a narrative summary of activities and accomplishments for the period under review. This document is a concise overview of the candidate's most significant accomplishments and activities during the

review period, relevant to each of the criteria as appropriate, including the levels of participation, contribution, and impact. In providing evidence of professional competence and quality of service within the library as required by MOU-4-C2a, service within the library is understood to encompass the candidate's regular responsibilities, LAUC-SB activities, and any assignments, committee work, task forces, etc. within the library.

f. For merit action or if a candidate is at the top salary point of the Associate Librarian or Librarian ranks, the narrative summary shall cover the period since the last review. For promotion, the summary shall cover the candidate's entire career as a member of the Librarian Series at the University of California. As applicable, the narrative summary may also contain evidence of professional activity outside the library (MOU 4-C-2b), university and public service (MOU 4-C-2c), or research and other creative activity. (MOU-4-C2d)

g. The candidate submits the Review of Qualifications (including the remaining, unmarked sections of the form) to the review initiator. If the review initiator requests further documentation or evidence to be included in the review file, the candidate responds in a timely manner.

h. At a conference scheduled by the review initiator, the candidate receives a copy of the review file from the review initiator, including the review initiator's evaluation and recommendation, and redacted copies of all confidential letters used in the review. The candidate reads the review initiator's evaluation and inspects all documents in the file. (MOU 5-H) He/she may submit for inclusion in the original file a written statement responding to or commenting on material in the file. (MOU 5H) He/she may add to the original file any further documentation or evidence deemed necessary. The candidate shall be allowed 7 consecutive calendar days to review and respond to the file. By mutual agreement of the affected parties, this period of time may be extended. (MOU 5-H)

i. Upon completion of the procedures described above, the candidate shall sign and date a Certification Statement certifying that these procedures have been followed. A Documentation Checklist listing the contents of the review file shall also be signed and dated by the candidate. Both documents shall be included in the original review file and copies shall be provided to the candidate. (MOU 5-I)

j. The candidate receives and reads comments by the reviewing officer (AUL) included in the file, if any. The candidate may request a conference with the review initiator and reviewing officer to discuss the evaluation. This request may not be denied.

k. If items are added to the file after the candidate has reviewed it, the candidate is notified. The candidate shall have access to all added non-confidential material and redacted copies of confidential material included in the file. The candidate may submit a written statement in response to any additions to the file; the statement shall then become part of the file. (MOU 5-K)

l. The candidate receives a written statement from the University Librarian with the final personnel action and reasons for the decision. (MOU 5-P) He/she receives a redacted copy of the review committee report and a redacted copy of an ad hoc committee report, if any. (MOU 5-P)

#### 4. The Review Initiator

a. The review initiator schedules and conducts one or more preliminary review conferences with the candidate, to discuss the review and ensure that the candidate is adequately informed about the entire review process, including the review calendar and the criteria applied in considering review actions. The applicability of the Statement of Duties and Responsibilities to the review period and the role in the review of coordinators, department heads, or others who have oversight of specific areas of the candidate's responsibilities should be discussed at the preliminary review conference(s). The discussion should focus on what documentation is appropriate, what personnel action is to be put forward (merit increase, promotion, non-prejudicial no-action, career status), and what types of materials are to be requested. Any list of names of individuals from whom letters may be solicited that has been prepared by the candidate should be discussed in the conference. The review initiator and candidate should reach an understanding of subsequent steps in the process that each are to follow. The review initiator shall allow the candidate the opportunity to ask questions and to supply pertinent information and evidence to be used in the review.

b. The review initiator shall solicit internal letters commenting on the candidate from coordinators, department heads, or others within the library who have oversight of specific areas of the candidate's responsibilities as listed in the Statement of Duties and Responsibilities. The letters should comment on specific activities performed during the period under review. The review initiator may also solicit letters from other persons in the library who are in a position to assess the qualifications or particular activities of the candidate in the period under review, including a reasonable number of persons whose names have been provided by the candidate, but not limited to persons suggested by the candidate. In deciding on which other persons within the library, if any, to solicit for letters, the review initiator exercises academic judgment, and the decision from whom to solicit letters shall not be subject to grievance and arbitration. (MOU 5-G) All requests for internal letters shall be in writing, shall be included in the nonconfidential section of the review file, and shall specify the activities or qualifications of the candidate that each letter should address. Each soliciting letter shall contain a statement regarding the inclusion of such evaluative letters in the non-confidential section of the review file.

c. All internal letters shall be included in the review file. They are not confidential and shall not be redacted. They do not recommend a personnel action. The review initiator exercises academic judgment in determining which information from internal letters to use in his/her evaluation of the candidate, and this determination shall not be subject to grievance and arbitration.

d. The review initiator may solicit letters from persons external to the library who are in a position to assess the qualifications or particular activities of the candidate in the period under review, including a reasonable number of persons whose names have been provided by the candidate, but not limited to persons suggested by the candidate. In deciding on which external persons, if any, to solicit for letters, the review initiator exercises academic judgment, and the decision from whom to solicit letters shall not be subject to grievance and arbitration. (MOU 5-G). All requests for external letters shall be in writing and shall be included in the confidential



section of the review file, regardless of whether the letters themselves are included in the file. The requests shall specify the activities or qualifications of the candidate that each letter should address. Each request shall contain a statement regarding the University's policy on confidentiality of such evaluative letters, if applicable.

e. All external letters are confidential. The review initiator exercises academic judgment in determining which information from external letters, if any, to use in his/her evaluation of the candidate, and this determination shall not be subject to grievance and arbitration. External letters used in the evaluation shall be included in the file, in the confidential section. Redacted copies of the included letters shall be provided to the candidate upon receipt of the file during the subsequent review conference. Redaction of confidential letters shall consist of the removal of name, title, organizational/institutional affiliation, and relational information contained below the signature block of the letter and in the letterhead. External letters not used in the evaluation shall not be included in the file.

f. External letters need not be submitted for merit, no-action, and career status reviews, and the absence of such letters in the review file shall in no way prejudice the outcome of the review. The same applies to reviews for promotion from the rank of Assistant Librarian to Associate Librarian. For promotion from the rank of Associate Librarian to librarian, external letters are required.

g. If the review initiator receives an unsolicited external letter on behalf of a candidate, he/she may send to the author of the letter the statement regarding the University's policy on confidentiality of such letters. Use of unsolicited letters in an academic review is at the discretion of the review initiator and shall not be subject to grievance and arbitration. If used in the review, they shall be included in the confidential section of the file, and redacted copies shall be provided to the candidate upon receipt of the file during the subsequent review conference. (MOU 5-G5)

h. The review initiator composes a substantive written evaluation of the candidate's performance for the period under review, using appropriate sections of the Review of Qualifications form. The evaluation shall be specific, thorough, and adequately supported by documentation within the review file. It shall adhere to the criteria for evaluation provided in MOU 4-C. It shall include a recommendation on the specific personnel action put forward in the review file, with supporting commentary and evidence. The recommendation shall use the language set forth in the Appendix, "Model Language for Review Recommendations." In the case of a recommendation of "no action based on this less than positive review," the review initiator shall provide a written remediation plan to address the perceived deficiency. (MOU 4-D-5g)

i. On completing the evaluation, the review initiator schedules a conference with the candidate. At the conference, the review initiator presents a copy of the complete review file to the candidate and discusses with him/her the evaluation and recommendation for action. The candidate is allowed 7 consecutive calendar days to review the file and provide a response, if any, to the written evaluation, recommendation, or conference. If the candidate provides a written response, it shall be included in the original review file. (MOU 5-H)

j. Upon completion of the procedures described above, the candidate shall sign and date a Certification Statement certifying that these procedures have been followed. A Documentation Checklist listing the contents of the review file shall also be signed and dated by the candidate. Both documents shall be included in the original review file and copies shall be provided to the candidate. (MOU 5-I)

k. On reviewing the candidate's response, if any, the review initiator forwards the original review file to the appropriate AUL via the AUL-ODE.

#### 5. The Reviewing Officer (AUL)

a. The reviewing officer examines the review file for completeness and adherence to the standards set forth in the criteria for personnel actions in the Librarian Series. He/she reviews the file and may include comments.

b. The reviewing officer may request any additional information or evaluative letters deemed necessary. If additional information is included in the file, the reviewing officer shall inform the candidate and provide to him/her copies of all non-confidential information and redacted copies of confidential information added to the file. The candidate shall initial and date the added material. The candidate shall be provided with an opportunity to submit a written statement in response to the additions, and the statement shall be included in the file. (MOU 5-K)

c. The reviewing officer may schedule a conference with the candidate and review initiator to discuss the review. He/she shall schedule and conduct a conference with the candidate and review initiator if either has requested one.

d. If the reviewing officer adds comments to the file, he/she provides a copy to the candidate. The candidate is allowed two working days to compose a written response to the comments and conference, if any. When the candidate has completed, at his/her discretion, a written response or at minimum, has acknowledged with his/her signature having received the comments, if any, the reviewing officer adds the written response or acknowledgment to the original review file.

e. When the review initiator is an AUL, or the line AUL is unavailable, the AUL-ODE serves as the reviewing officer and conducts the steps listed above.

f. The reviewing officer transmits the original review file to the AUL-ODE who forwards it to the review committee.

#### 6. Review Committee

a. In accordance with the requirements of MOU 5-A and the policies and procedures set forth in II. C.1-8 of this document, CAP reviews the files of all candidates in each review cycle, and ad hoc review committees, if any, review the files assigned to them. The evaluation and recommendation of a review committee concerning a candidate shall be based solely on material within the review file. (MOU 5-J)

b. If a review committee finds that a review file is incomplete or inadequate, the committee may submit a written request to the AUL-ODE for additional information or letters deemed necessary for committee analysis. The candidate is informed that new material is being added to the file. The candidate shall have access to all non-confidential material added to the file, and to redacted copies of confidential material. The candidate shall have an opportunity to submit a written statement in response to the additions to the review file, which shall become part of the file. The review shall then be based upon the review file as augmented. (MOU 5-K)

c. On completion of its deliberations, CAP, and an ad hoc review committee, if any, shall submit a comprehensive report and recommendation for action for each review file to the designated University official. The recommendation shall use the language set forth in the Appendix, "Model Language for Review Recommendations." In conducting its review of a candidate and determining its recommendation, a review committee shall be guided by the criteria for continuation or advancement in the Librarian Series.

d. If a review committee cannot reach a unanimous decision on a recommendation for a review action, the division of the committee and the reasons are communicated either in the body of the report or in separate concurring or dissenting statements by individual members, submitted with the main report and with the cognizance of other committee members.

e. The final report and recommendation of an ad hoc review committee, if any, bearing the signatures of the committee members, is transmitted as part of the review file to CAP, via the AUL-ODE.

f. The final report and recommendation of CAP, bearing the signatures of a quorum of the committee members, is transmitted to the University Librarian via the AUL-ODE.

#### 7. The University Librarian (UL) and the Executive Vice Chancellor

a. The UL shall make the final decision for merit, promotion, career status, or no action and shall determine if and how many additional salary point(s) will be granted. He/she shall forward a recommendation for termination to the Executive Vice Chancellor.

b. When the personnel action put forward in a review is promotion or career status, or when the UL recommends termination, if the preliminary assessment of the UL is contrary to the recommendation of CAP, he/she shall notify CAP regarding the assessment. CAP shall be given the opportunity to comment further before the final decision is made. (MOU 5-N)

c. If the UL's preliminary assessment is to terminate or not to confer career status, the candidate shall be notified of the opportunity to request access to records in the review file. The candidate and review initiator shall then have the opportunity to respond in writing and to provide additional information and documentation. (MOU 5-O)

d. When recommending termination, the UL forwards the review file to the Executive Vice Chancellor, who makes the final decision. If the Executive Vice Chancellor's preliminary assessment is contrary to the recommendation of the UL, the UL shall be given the opportunity

for further comment before the final decision is made. The Executive Vice Chancellor may also choose to confer with CAP on matters of procedure and documentation.

e. The UL shall provide to each candidate a written statement with the final personnel action and reasons for the decision. (MOU 5-P). A copy of the statement is provided to the review initiator. The candidate shall also receive a redacted copy of the CAP report and a redacted copy of the ad hoc committee report, if any. (MOU 5-P)

#### 8. The AUL-ODE

a. Coordinates the entire review process.

b. Ensures that the candidate, review initiator, and AUL receive copies of the final decision, and that the candidate receives a redacted copy of the CAP report and a redacted copy of any ad hoc committee report.

c. Retains the completed review files.

d. Meets with CAP following the conclusion of the review cycle to discuss the review process and initiate any changes or modifications in procedures.

#### 9. Arbitration

An arbitrator shall have the authority to determine whether the University has violated any of the above procedures. Academic judgment is not subject to grievance or arbitral review (MOU 4-F). Therefore, the following may not be the subject of a grievance: (1) initiation of an academic review; (2) award or denial of a merit increase; (3) award or denial of a promotion; (4) award or denial of career status; (5) termination of a librarian following an academic review; (6) determination of persons from whom letters are solicited; (7) provision of a written remediation plan. If the arbitrator finds that the alleged procedure violation had a material, negative impact on the outcome of the review, the arbitrator's remedy shall be limited to directing the University to repeat, to the extent practical, the review process from the point at which the violation occurred. (MOU 5-Q)

## APPENDIX

### Model Language for Review Recommendations

Review initiators and review committees make recommendations for all academic personnel actions for members of the librarian series. Recommendations should be written clearly to indicate what personnel action is being put forward by the review initiator or by the review committee.

The following language shall be used by review initiators and review committees for recommendations for personnel actions:

- Standard Merit:
  - “I [we] recommend a standard merit increase based on this positive review.”
- Greater than standard Merit
  - “I [we] recommend a greater than standard merit increase based on this positive review and the exceptional performance during this review period”
- Standard Promotion:
  - “I [we] recommend a standard promotion increase based on this positive review.”
- Greater than standard Promotion
  - “I [we] recommend a greater than standard promotion increase based on this positive review and the exceptional performance during this review period”
- No action
  - “I [we] recommend no action” (non-prejudicial, for top of rank)
  - “I [we] recommend a no action based on this less than positive review”
- No action with salary increase
  - “While this was a less than positive review, I [we] recommend no action with salary increase based on the exceptional circumstances described in this review.”

or:

  - “While this review was not uniformly positive, I [we] recommend no action with salary increase based on the exceptional circumstances described in this review.”
- Career status
  - “I [we] recommend the granting of career status based on this positive review and the determination that the candidate is worthy of further advancement.”
- Termination
  - “I [we] recommend termination based on a less than positive review indicating that the candidate is not deemed worthy of further advancement.” (for candidates with potential career status)

or:

- “I [we] recommend termination based on a less than positive review following the provision of a remediation plan and a reasonable period of time to effect the required performance improvements.” (for candidates with career status)