

CAP Tentative Decision Change FAQ November 2019

How will CAP decide when to request a further possible response from a candidate through a tentative decision?

Disagreements on a promotion or advancement will still generate tentative decisions. In cases involving disagreement about the appropriate Step, CAP will consider multiple factors. Cases decided with tied or very close CAP votes will be more likely to generate tentative decisions. Conversely, cases where other levels disagree with the proposed action would be less likely to lead to a tentative decision. CAP will also consider whether additional information will address a significant perceived deficiency in granting the requested action. For instance, if a faculty member has no publications, it is unlikely that there will be additional information to change CAP's decision. The Vice Provost for Academic Personnel and the Provost also may request additional information through a tentative decision.

In addition, CAP expects to increasingly use the request for additional information process to ask for additional, missing, or corrected information in personnel files, *before* it votes on a case.

What should and shouldn't a tentative decision response include?

A tentative decision response should only include new information that was not previously documented in the file. Any new information must be included and highlighted on the Addendum so CAP and other levels of review can easily identify it. Re-arguing the case is neither appropriate nor effective for a tentative decision response. CAP screens tentative decision responses for substantial new information and will not reopen a case that only contains new arguments.

Why doesn't CAP just give faculty every opportunity through mandatory tentative decisions?

CAP came to this revision after extensive discussion. First, CAP already has a high agreement rate with personnel action proposals. From 2015-2018, for example, CAP reviewed 1,250 cases, which led to AP sending out tentative decision notices of disagreement with the original proposal in fewer than 11% of cases. CAP reversed its original decision in just over 10% of that 11% of cases. Given the heavy workload on multiple levels that led to these small number of reversals, it makes more sense to target tentative decisions to the most significant reviews (promotions and advancements) and cases where there is a higher likelihood of additional information having an impact.

Second, CAP strives to give all personnel files equitable treatment. This means all faculty receive "one bite of the apple" in the review process. Well-prepared files rarely have substantive additional information that change the outcome of the case, and CAP does not want to encourage a strategy of withholding information or of inadvertently rewarding faculty who send in incomplete files. Given CAP's workload, requiring second-looks at cases requires that some cases' first reviews receive less time and attention. Tentative decisions also require substantial additional labor from candidates, chairs, and deans, and with a very low overturn rate, it does not make sense to ask for so much likely ineffective labor.