



UNIVERSITY OF NEBRASKA-LINCOLN COLLEGE OF ENGINEERING



## College of Engineering (COE) Promotion and Tenure (P&T) Committee Procedures for Apportionment Arbitration

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From the UNL EVC '[Guidelines for the Evaluation of Faculty: Annual Evaluations, Promotion, and Tenure](#)', Section III.B:

“Initially, the chair/head or other University official responsible for hiring shall, in the approved letter of appointment, spell out the general apportionment of the faculty member’s major responsibilities. The terms of this apportionment are to be reviewed periodically and may be changed by mutual consent (Regents Bylaws, 4.3). Within the terms of this general apportionment of responsibilities and subject to a faculty member's general area of competence, the details of a faculty member's specific assignments or job description should be subject to joint consultation but are to be determined by the department chair/head, unit administrator, or director concerned (Regents Bylaws, 3.4.4).

Each unit shall refine these broad criteria in areas of teaching, research, and service in ways that reflect the discipline and its mission. The refined criteria shall be applied to all faculty members in ways which equitably reflect each one's particular responsibilities and assignments. How the unit criteria apply to a faculty member's own set of duties should be made clear at the time of appointment and reviewed in the annual evaluation.

Adjustments in the expectations for faculty members may occur over time in keeping with changing institutional and personal priorities. Such adjustments shall occur in a timely fashion and with reasonable effort made to assure mutual understanding-- another aim of the annual evaluation process. It must be clear, however, that no special adjustments of norms for units or individuals shall alter the University's fundamental criterion: all faculty members must do scholarly or professional work that demonstrates creative achievement.”

Faculty members and the unit leader must work cooperatively to agree on apportionment. Faculty members and their unit leader typically review and discuss apportionment during the annual review process in the spring semester. Apportionment changes may also be requested and discussed at other times throughout the year. Generally, it is expected that apportionment should not be changed from semester to semester or year to year, but rather on a longer time scale. If the unit leader and faculty member agree on a new apportionment, the requested change can be documented in the unit leader’s evaluation report or on a '[College of Engineering Change in Apportionment Form](#)', with signatures from both parties, and submitted to the College of Engineering (COE) Dean’s Office.

If an agreement cannot be reached about apportionment, the party that declares an impasse shall inform the COE Associate Dean in charge of COE faculty affairs in writing of the impasse and shall request that the case be forwarded to the COE Promotion and Tenure (P&T) Committee for arbitration, as defined in the [COE Bylaws](#). The faculty member’s apportionment remains unchanged until the

arbitration process is finalized.

As stipulated in the [University of Nebraska Board of Regents Bylaws](#), *“the committee shall consider the positions of each party in relation to the departmental and college missions, as well as the faculty member’s overall areas of professional competence and expertise. The committee shall decide whether the apportionment of the faculty member’s responsibilities shall be changed and, if so, in what manner. The decision of the committee shall be reasonably within the faculty member’s overall areas of professional competence and expertise; it shall be in writing, and it shall not violate the rights and responsibilities of the faculty member provided in Sections 4.1 and 4.2 of these Bylaws. It shall be final, subject only to review by the committees established by Sections 4.13, 4.14, and 4.15 of [Bylaws of the Board of Regents](#) (Grievance Committee, Academic Freedom and Tenure Committee, and Professional Conduct Committee)”*. As these committees operate under the purview of the Academic Rights and Responsibilities Committee (ARRC) at UNL, should either party be dissatisfied with the decision of the College P&T Committee, further pursuit of the grievance should be directed to the ARRC.

**Apportionment Arbitration Procedures:**

1. The request for apportionment arbitration must be initiated through a written notification to the Associate Dean in charge of COE faculty affairs, either from the unit leader or the faculty member. For the arbitration to be processed by the COE P&T committee in the same academic year, encompassing the period from the beginning of the fall semester through the conclusion of the summer semester in the subsequent calendar year, the request must be initiated before the last business day of February each year. If a discussion about adjusting apportionment is anticipated, either the faculty or the unit leader should request an early evaluation.
2. The COE P&T Committee is provided with the following documents to consider in the arbitration of the faculty member’s apportionment. The COE Associate Dean in charge of COE faculty affairs collects these information within two weeks of being notified of the impasse:
  - a. A written statement from the faculty member clearly stating their desired apportionment with a justification and supporting evidence.
  - b. A written statement from the unit leader clearly stating their desired apportionment for the faculty member with a justification and supporting evidence.
  - c. A table of the faculty member’s apportionment assignments as listed in the University system for the last three academic years or, for those faculty members who have been at the university for less than three years, since the faculty member joined the institution.
  - d. The faculty member’s annual self-reports and resulting evaluations from the unit leader in the last three calendar years or, for those faculty members who have been at the university for less than three years, since the faculty member joined the institution.
  - e. A current CV for the faculty member in the specific COE format.
  - f. Any documented apportionment guidelines that are followed in the unit.
  - g. Other additional information relevant to the case that either of the two parties would like to include.

3. Upon receiving access to these documents, COE P&T committee members will review these materials within one business week to determine if they wish to request additional documents, data, or material from either or both parties. The COE Associate Dean, in charge of COE faculty affairs, is tasked with collecting any requested additional information and making it available to the committee. If any information is not provided in time for the committee to consider in its deliberations, the committee will base its decision on the information available.
4. The COE Associate Dean in charge of COE faculty affairs will provide all materials being reviewed by the COE P&T Committee to the faculty member and unit leader, at the same time as they are made available to the committee.
5. Following the receipt of the arbitration request, the COE Associate Dean in charge of COE faculty affairs shall arrange a date and time for the apportionment arbitration meeting, which will take place between the second week of March to the end of the first week in April.
6. During the apportionment arbitration meeting, the faculty member and unit leader shall each have an individual and separate opportunity to present their case in person (a video conferencing option will be made available if needed) to the College P&T Committee. Each person will have no more than 20 minutes to present their case, allowing for 10 minutes of questions by the committee.
7. A specific presentation time will be provided to the faculty member and the unit leader in writing by the COE Associate Dean in charge of COE faculty.
8. All members of the COE P&T Committee must read the case file before the beginning of the meeting. The committee chairperson shall solicit discussion from all committee members and build consensus on what the arbitrated apportionment should be. The final arbitrated apportionment may differ from what the faculty member or unit leader suggests but is expected to fall within the bounds of what the faculty member and unit leader have proposed.
9. Any committee member with a conflict of interest (COI: faculty member within the same unit or a faculty member with direct research or teaching collaborations) shall excuse themselves from participating in the discussion. A P&T Committee member with a COI may only provide information after a direct question is asked. If a committee member has a personal relationship with either party involved in the arbitration, such as a spouse, this committee member will be excluded from participating in the case.
10. The COE Associate Dean in charge of COE faculty affairs shall attend apportionment arbitration meetings to ensure that all rules and procedures are properly followed but shall not participate in discussions. The Associate Dean and committee chairperson shall ensure the discussion is based solely on material in the faculty member's apportionment arbitration documentation file.
11. The work and deliberations of the committee are confidential. No audio or video recordings are permitted during the apportionment arbitration meeting.
12. The COE P&T committee shall prepare a decision letter that contains a clear statement of the final apportionment that has been arbitrated for the faculty member and a brief summary of the committee's rationale. The decision letter shall then be sent to the faculty member, the

faculty member's unit leader, and the Dean, within one week of the committee's arbitration meeting.

13. The arbitrated apportionment shall take effect at the beginning of the upcoming academic year after the date of the apportionment arbitration decision letter. For example, if the apportionment arbitration decision letter is dated March 2023, the new apportionment will start in the 2023-2024 academic year.
14. Annual faculty evaluation will be conducted based on the revised apportionment stated in the decision letter, starting from the year of its implementation.
15. During the first academic year of the new apportionment, no changes to the apportionment may be initiated and no appointment arbitration may be solicited. For example, if the updated apportionment takes effect in the 2024-2025 academic year, no requests for apportionment modification or arbitration will be considered until the conclusion of the spring semester in 2025.