

University of Nebraska – Lincoln (UNL)
College of Engineering (COE) Promotion and Tenure (P&T) Committee
Procedures for Apportionment Arbitration

*Last modified on October 12, 2020
Approved by the COE Faculty on October 28, 2020*

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, 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 unit leaders are expected to work cooperatively to agree on apportionment. Faculty members and their unit leaders typically review and discuss apportionment during the annual review process, in early 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.

1. Whenever a change in apportionment is requested, a '[College of Engineering Change in Apportionment Form](#)' is submitted to the College of Engineering (COE) Dean’s Office by the unit leader and faculty member, with both persons’ signatures. If an agreement cannot be reached about apportionment, the party that declares an impasse shall inform the COE Associate Dean in charge of COE academic 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](#).
2. 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

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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 these Bylaws." For the College of Engineering, the committee responsible for apportionment arbitration is the COE P&T Committee as stated in the [COE Bylaws](#).

3. The COE P&T Committee is provided with the following documents to consider in the arbitration of the faculty member's apportionment. These are collected by the COE Associate Dean in charge of COE academic affairs, within two weeks of being notified of the impasse:
 - a. A table of the faculty member's apportionment assignments as listed in the University system for the most recent years (up to at most the past 3 years for faculty who have been at UNL for 3 or more years), and a clear indication of the desired apportionment in coming semesters by the faculty member and by the unit leader
 - b. Written statements by the faculty member and by the unit leader, justifying their positions on the desired apportionment for the faculty member in coming semesters
 - c. The faculty member's annual self-reports and resulting evaluations from the unit leader for the most recent years (up to at most the past 3 years for faculty who have been at UNL for 3 or more years)
 - d. Current CV for the faculty member (COE format preferred)
 - e. Any documentation on apportionment guidelines that are followed in the unit
 - f. Other additional information relevant to the case that either of the two parties would like to include
4. Upon receiving access to the initial documents, committee members will review those materials within one 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 academic 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.
5. The COE Associate Dean in charge of COE academic affairs will provide all materials being reviewed by the COE P&T Committee to both the faculty member and unit leader, at the same time as they are made available to the committee.
6. The COE Associate Dean in charge of COE academic affairs shall arrange a date and time for the apportionment arbitration meeting, that is at least two weeks but no more than four weeks after initial documents are made available to the committee.
7. The faculty member and unit leader shall each have an individual and separate opportunity to present their case in person to the College P&T Committee at the

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apportionment arbitration meeting, typically 30 minutes in duration. The COE Associate Dean in charge of COE academic affairs shall inform the faculty member and unit leader of their specific presentation time in writing.

8. All members of the COE P&T Committee must read the case file prior to the beginning of the meeting. The committee chairperson shall solicit discussion from all committee members and build consensus between committee members as to what the arbitrated apportionment should be. Any committee member with conflict of interest shall excuse themselves from participating in the discussion. A P&T Committee member may participate in discussions on a candidate from their unit. The final arbitrated apportionment may be different from what is suggested by the faculty member or unit leader but is expected to fall within the range of what the faculty member and unit leader have proposed.
9. The COE Associate Dean in charge of COE academic affairs shall attend apportionment arbitration meetings to ensure that all rules and procedures are properly followed, but not to participate in any discussions. The Associate Dean and committee chairperson shall ensure that discussion is based solely on material in the faculty member's apportionment arbitration documentation file.
10. The work and deliberations of the committee are confidential. No audio or video recordings of any kind are permitted during the apportionment arbitration meeting.
11. 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.
12. The arbitrated apportionment shall take effect at the beginning of the semester that starts at least four weeks after the date of the apportionment arbitration decision letter.
13. The COE P&T Committee's decision is final, subject only to review by committees delineated in Sections 4.13, 4.14 and 4.15 of the [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.