

**Memorandum of Agreement (“Agreement”) Between
Rutgers, The State University of New Jersey (“University”)
and the Rutgers Council of AAUP Chapters, AFT (“AFT” or “Union”)
Concerning Faculty in their Probationary Period for Tenure**

Given the continuing impacts of the COVID-19 public health crisis experienced during the academic year 2020/2021, the University and the Union agree that the processes and requirements pertaining to tenure-track faculty in their probationary period require modification. Therefore, the University and the Union agree to the following with respect to tenure-track faculty in their probationary period as of July 1, 2020:

1. All tenure-track faculty scheduled to be evaluated for reappointment or promotion during academic year 2021/2022 shall be given the option of excluding the entire 2020/2021 academic year from their probationary period. Tenure-track faculty requesting such an exclusion shall make such request in writing by May 1, 2021 and secure the approval of the Department Chair and the Dean or the head of the unit. Approval shall not be unreasonably withheld. Tenure-track faculty in a probationary period extending beyond Academic Year 2021/2022 shall have until May 1, 2022 to opt to extend their probationary period under this Agreement and submit such request in writing.
2. If a tenure-track faculty member requests an exclusion of academic year 2020/2021 under this Agreement and later determines that the requested exclusion is no longer needed or desired, they shall have the option of withdrawing the requested exclusion and proceeding with a probationary clock that does not include such exclusion. If this option is exercised, the faculty member shall submit the withdrawal request in writing to the Department Chair and the Dean or the head of the unit by no later than March 1 of the year in which the faculty member seeks to be evaluated for tenure. This shall be without penalty or prejudice to the tenure review.
3. Exclusion of a year from the probationary period under the above paragraphs shall automatically extend the term of the faculty member’s appointment by a period equal to the time excluded from the probationary period. The option of a one-year exclusion is separate from and in addition to COVID-19 exclusions granted for academic year 2019/20 and exclusions available to faculty pursuant to Articles 16 and 17 of the Union’s collective negotiations agreement with the University for the term July 1, 2018 through June 30, 2022.
4. Upon request by a tenure-track faculty candidate, evaluators will be informed that the record of a faculty member opting to have time excluded from the probationary period in relation to the COVID-19 crisis shall be evaluated in the same manner as the record of a faculty member without such an exclusion.
5. Tenure-track faculty members in a probationary period may opt to exclude teaching evaluations from Fall 2020 and/or Spring 2021 from their reappointment and/or tenure packets.
6. Tenure-track faculty candidates may request that external evaluators be asked to appropriately take into account the impact of the COVID-19 crisis on scholarship, teaching and/or service for academic year 2020/2021 as may be reflected in the record for review.

7. Tenure-track faculty shall be advised of their right to address the impact of the COVID-19 crisis on productivity during academic year 2020/2021 in any personal statement they wish to include with their packet.
8. The University and the Union agree that this Agreement is non-precedential and may not be relied on by either party in support of any grievances, claims, demands or causes of action of any kind, except to enforce the terms of this Agreement.
9. In executing this Agreement, faxed or electronic signatures shall be acceptable.

By: 
Rutgers Council of AAUP Chapters, AAUP-AFT

By: 
Prabhas V. Moghe
Executive Vice President for Academic Affairs
Rutgers, The State University of New Jersey

Dated: 15 December 2020

Dated: December 16, 2020