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BY EMAIL

Professor Heather Boon
Vice-Provost, Faculty and Academic Life
McMurrich Building, Room 103
12 Queen's Park Crescent West
Toronto, Ontario M5S 1S8

Dear Professor Boon,

Re: Association Grievance - Divisional Guidelines on the Assessment of Teaching Effectiveness

1. Pursuant to Article 7 of the Memorandum of Agreement (“the MOA”) between the University of Toronto Faculty Association (“UTFA”) and the Governing Council of the University of Toronto (“the Administration”), UTFA hereby files notice of an Association grievance regarding the Divisional Guidelines on the Assessment of Teaching Effectiveness (“the divisional guidelines”).

Background

2. This grievance arises following revisions to the divisional guidelines that have been approved by the University’s Governing Council. It is UTFA’s understanding that academic units have been instructed to amend the divisional guidelines following negotiated changes to the *Policy and Procedures on Academic Appointments* (“PPAA”) and the *Policy and Procedures Governing*

Promotions in the Teaching Stream (“PPGPTS”) and in accordance with the *Policy and Procedures Governing Promotions* (“PPGP”).

3. Although UTFA has not been offered the opportunity to review the divisional guidelines prior to their going forward for approval before Governing Council, it has studied the new divisional guidelines and has identified a number of areas that do not align with the negotiated policies, either because the standards for tenure/continuing status reviews or promotion are elevated or the criteria are set out in a misleading or confusing manner.
4. The divisional guidelines that have been reviewed by UTFA include the following. Except for the Faculty of Arts and Science and the Faculty of Applied Science and Engineering guidelines, those listed below cover both the tenure stream and the teaching stream.

<ul style="list-style-type: none"> - Faculty of Arts and Science (FAS, for Teaching Stream only) - University of Toronto at Scarborough (UTSC) - University of Toronto at Mississauga (UTM) - Dalla Lana School of Public Health (DLSPH) - Faculty of Pharmacy - Faculty of Dentistry - Faculty of Information 	<ul style="list-style-type: none"> - Faculty of Music - Rotman School of Management - Faculty of Kinesiology and Physical Education - Ontario Institute for Studies in Education (OISE) - Faculty of Applied Science and Engineering (FASE) - Faculty of Social Work - Faculty of Nursing - Faculty of Medicine¹
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5. UTFA previously raised concerns about these divisional guidelines via email and letter to former Vice-Provost Sioban Nelson on December 12, 2017, and January 16, 2018, regarding the FAS divisional guidelines (See Appendix 1 and 2), on January 12, 2018, regarding the UTM divisional guidelines (see Appendix 3), and to Vice-Dean Maydianne Andrade on February 12, 2018, regarding the UTSC divisional guidelines (see Appendix 4). In the spring of 2018, UTFA received responses to these letters and, in some cases, amendments to the divisional guidelines were made. While UTFA appreciates that some of our concerns were addressed, there remain numerous departures from negotiated policy.
6. UTFA informed the Administration via letter on September 27, 2018, (see Appendix 5) that we had ongoing concerns and gave notice of a forthcoming Association Grievance.
7. Even though the central focus of this grievance is to address departures from negotiated policy, we also raise concerns about the *Provostial Guidelines for Developing Written Assessments of Effectiveness of Teaching in Promotion and Tenure Decisions* (“Provostial Guidelines”). Our

¹ The Faculty of Medicine divisional guidelines does not contain a section on Promotion to Professor in the Tenure Stream.

concerns about the Provostial Guidelines are non-exhaustive, and we reserve the right to negotiate them with the University Administration in the future.

The Grievance

8. The PPAA, PPGP, and PPGPTS are frozen policies under Article 2 of the MOA. The PPAA contains the requirements and procedures for the tenure-stream probationary review and tenure review and the teaching stream interim review and continuing status review. The PPGP contains the requirements and procedures for promotion to Full Professor for the tenure stream. The PPGPTS contains the requirements and procedures for promotion to Full Professor, Teaching Stream.
9. The parties to the first iteration of the PPAA recognized a role for divisional guidelines in the assessment of teaching, in order to accommodate the diversity of teaching across the university. UTFA's view, however, is that any document that violates the provisions of the PPAA or any other frozen policy is not enforceable and must be rescinded.
10. In order to address the numerous issues identified in the divisional guidelines, UTFA has thematized several main areas of concern in this grievance. While the issues raised are non-exhaustive, they do represent some of the more significant departures from frozen policy that UTFA seeks to redress. In general, the issues we identify have been selected because they deviate from the language in frozen policy and significantly raise the bar for tenure/continuing status and promotion.
11. Each area of concern is illustrated by at least one non-exhaustive example. Other instances of the same issues exist across the many divisional guidelines. The examples we provide are from the FAS, UTM, UTSC, and DLSPH divisional guidelines. These guidelines were selected as sample divisional guidelines because they cover a large concentration of faculty members and contain the types of repetitive problems that are found in the remaining divisional guidelines. By pointing to the examples below, we hope to reach agreement with the Administration that where a similar issue exists in other divisional guidelines, it will be corrected.
12. UTFA also believes that the divisional guidelines, in general, are trying to do too much. The role of divisional guidelines contemplated by the PPAA is procedural, not substantive. For example, in relation to the tenure review, the PPAA states:

15 iii) **Assessments of the Candidate's Teaching Ability**

Written assessments of the candidate's teaching ability shall be prepared in accordance with guidelines approved for the relevant department or division. **These guidelines specify the manner in which the division will provide the committee with evidence** from the individual's peers and from students and will offer the candidate the opportunity to supplement his or her files. Changes to divisional guidelines must be approved by the Vice-President and Provost and reviewed by the Academic Board. (emphasis added)

13. Similar language is also found in the PPGP and the PPGPTS at paragraphs 12b and 11, respectively.
14. The revised guidelines go well beyond the procedural role provided for in policy. It is UTFA's view that the divisional guidelines must be amended to limit divisional guidelines to their procedural role.
15. Further, the proposed guidelines are far too detailed and prescriptive. In this way, the proposed divisional guidelines violate academic freedom.

Raising the Standards

16. The following sections set out a number of ways in which the standards for promotion have been elevated in the divisional guidelines. These include:
 - i) Raising the Standard for Competence and Excellence in Teaching
 - ii) Raising the Standard for Promotion to Full Professor, Teaching Stream
 - iii) Raising the Standard for Pedagogical/Professional Development (PPD)

i) Raising the Standard for Competence and Excellence in Teaching

FAS Divisional Guidelines

17. UTFA notes that when referring to the FAS divisional guidelines in this grievance, we refer to the "Guidelines and Procedures for the Assessment of Teaching Stream Faculty (for Probationary, Continuing Status and Promotion Reviews)". UTFA has not seen an updated FAS divisional guideline for the Tenure Stream. If and when the FAS tenure stream guidelines are updated, UTFA reserves the right to raise additional concerns.
18. Several deviations from policy language that elevate the standard for excellence in teaching are found in the FAS divisional guidelines. For example: "For a judgment of excellence in teaching, candidates **must demonstrate** a combination of excellent teaching skills, innovative teaching initiatives, and creative educational leadership and/or achievement" (emphasis added, page 5). The language in policy indicates that "excellence in teaching **may be demonstrated** through a combination of" (emphasis added) these same criteria. The use of the word 'must' results in a more prescriptive language than the policy language and, importantly, does not allow for the possibility that excellence in teaching may be shown through other means.
19. Similarly, on page 7, the FAS divisional guidelines state that a candidate's teaching excellence is "demonstrated through excellent teaching skills, innovative teaching initiatives, and creative educational leadership/achievement" but does not specify, as does the PPAA, that it is *a combination* of these competencies that establish excellence in teaching. A combination of skills implies that some skills may be less developed, or even absent, while others will be highly developed or have more evidence. The wording used in **the FAS document appears to remove that flexibility**.

UTM

20. On page 3, the UTM divisional guidelines state that “in order for teaching to be judged excellent, the following criteria are considered.” The Provostial Guidelines, however, state that a candidate ought to demonstrate a “combination of the following criteria.” The way the divisional guidelines are worded, **a reader could reach the false conclusion that all of the eight listed criteria are required to establish excellence.**

DLSPH

21. The divisional guidelines of the Faculty of Dentistry, the Faculty of Pharmacy, the Faculty of Information, the Faculty of Social Work, the Faculty of Nursing and the DLSPH appear to use a similar template. Unless otherwise specified, for ease of reference, this grievance refers only to sections found in the DLSPH divisional guidelines. The issues raised, however, can also be found in the divisional guidelines of these other faculties.
22. The DLSPH divisional guidelines closely mirror the Administrations’ amendments to the *Provostial Guidelines for Developing Written Assessment of Effectiveness in Teaching in Promotion and Tenure Decisions* that were presented to UTFA in October 2014. When these amendments were proposed, UTFA strongly opposed the changes and raised concerns that the standard for competence and excellence in teaching for tenure decisions, as described in the proposed tables, had been elevated. Additionally, UTFA raised objections about the competence/excellence rubrics being used in the review for promotion to full professor, particularly since this rubric is not a component of the PPGP. UTFA maintains and reiterates these objections, as they have reappeared in the DLSPH divisional guidelines.
23. One example of how the standards for excellence have increased can be found on pages 8 and 13. On page 8, the DLSPH divisional guidelines state that for a tenure stream candidate “[a] recommendation of excellence in teaching will normally be based on evidence of **excellence across multiple criteria**” (emphasis added) (the criteria are listed in a table, further discussed below). On page 13, the guidelines state that for teaching stream faculty “[a] recommendation of excellence in teaching will normally be based on evidence of a candidate’s ability to demonstrate the “fundamental” elements of effective teaching and to go significantly beyond this to demonstrate excellence across multiple criteria.” This language is inconsistent with policy. The language in the PPAA states “**in some combination of...**” (emphasis added) not “evidence of excellence across multiple criteria.”
24. UTFA opposes the tables beginning on pages 6, 13, 20, and 27 because the criteria listed are entirely new, have not been negotiated, and are not contemplated in the PPAA, the PPGP, or the PPGPTS.
25. For the tenure review, the PPAA provides as follows:
13. Tenured appointments should be granted on the basis of three essential criteria: achievement in research and creative professional work, effectiveness in teaching, and clear promise of future intellectual and professional development.

Contributions in the area of university service may constitute a fourth factor in the tenure decision but should not, in general, receive a particularly significant weighting.

[...]

b) Effectiveness in teaching is demonstrated in lectures, seminars, laboratories and tutorials as well as in more informal teaching situations such as counselling students and directing graduate students in the preparation of theses. It is, however, recognized that scholarship must be manifested in the teaching function and that a dogmatic attempt to separate "scholarship" and "teaching" is somewhat artificial. **Three major elements should be considered in assessing the effectiveness of a candidate's teaching: the degree to which he or she is able to stimulate and challenge the intellectual capacity of students; the degree to which the candidate has an ability to communicate well; and the degree to which the candidate has a mastery of his or her subject area.**

(emphasis added)

26. The divisional guidelines provide that, for competence in teaching, a faculty member must demonstrate the following (pages 6-7):

- a) Fulfills these fundamental duties and responsibilities of a university teacher (8 bullet points);
- b) Uses teaching practices that promote student learning (7 bullet points);
- c) Contributes to curriculum development (2 bullet points); and
- d) Engages in professional development (2 bullet points).

The bullet points in these sections go far beyond the three major elements contemplated in the PPAA, and the minimum requirements for competence in teaching found in the Provostial Guidelines.

27. The divisional guidelines further set out that for excellence in teaching, a tenure stream faculty member must show excellence across multiple criteria:

- a) must provide "exemplary achievement, in a consistent manner" of the criteria under 16 a) and "significant contributions to teaching practice as demonstrated, for example, by some combination of" innovation, recognition and curriculum/program enhancement (5 bullet points);
- b) "significant and ongoing contributions to curriculum or program development (e.g. innovation, revision, updating, evidence-informed improvement);"
- c) "Consistent engagement in pedagogical and/or professional development" and/or "reflection on and assessment of new teaching practices";
- d) "Evidence of a high level of achievement and impact beyond the classroom (e.g. Faculty, institution, discipline, community, etc.)" (see 21 bullet points).

28. While UTFa does not necessarily dispute the benefit of faculty members' possessing the skills and qualities outlined in the Administration's five categories, these categories are clearly a marked departure from the three categories required by the PPAA.
29. Some of the excellence expectations are also highly problematic because they are more appropriate to senior faculty, not to pre-promotion or pre-tenure faculty members. The new requirements found in the DLSPH divisional guidelines are a serious breach of the PPAA and a significant change to an important term and condition of employment.
30. For the teaching stream, the PPAA sets out that:

“Excellence in teaching may be demonstrated through a **combination of excellent teaching skills, creative educational leadership and/or achievement, and innovative teaching initiatives** in accordance with appropriate divisional guidelines.” (emphasis added)

31. The DLSPH divisional guidelines, as outlined above, require qualities and achievements different from those contained in the PPAA. UTFa submits that the divisional guidelines should be consistent with the PPAA, and the tables in the divisional guidelines must, therefore, be deleted.
32. The combination of a heavy teaching load and the necessity to undertake a sufficient number of duties and initiatives to satisfy the requirement for excellence in teaching would create inequitable working conditions for our members in the division.
33. With respect to teaching, the PPGP provides as follows:

“Attributes of Good Teaching

12a. Teaching. Teaching includes lecturing, activity in seminars and tutorials, individual and group discussion, laboratory teaching, and any other means by which students derive educational benefit. **Teaching effectiveness is demonstrated by the degree to which the candidate for promotion is able to stimulate and challenge the intellectual ability of students, to communicate academic material effectively, and to maintain a mastery of his or her subject areas. It also involves maintaining accessibility to students, and the ability to influence the intellectual and scholarly development of students.**” (emphasis added)

34. Similarly, the language of the PPGPTS, with respect to excellent teaching states:

8. Excellent teaching may be demonstrated through a combination of excellent teaching skills, creative educational leadership and/or achievement, and innovative teaching initiatives, all in accordance with appropriate divisional guidelines.

Teaching includes lecturing, activity in seminars and tutorials, individual and group discussion, laboratory teaching, thesis and/or research supervision, and any other means by which students derive educational benefit.

Teaching effectiveness is demonstrated by the degree to which the candidate for promotion is able to stimulate and challenge the intellectual ability of students, to communicate academic material including professional knowledge effectively, and to maintain a mastery of his or her subject areas. It also involves maintaining accessibility to students, and the ability to influence the intellectual and scholarly development of students. (emphasis added)

35. The PPGP and the PPGPTS provide for five aspects of teaching effectiveness to be considered in promotion to Full Professor of Full Professor, Teaching Stream. The competencies required by the DLSPH divisional guidelines are not those outlined in those policies. In fact, several of the aspects required by the PPGP/PPGPTS are sub-points of the competencies required by the divisional guidelines (e.g. “mastery of the subject area”, “strong communication skills”, and “being accessible to students inside and outside the classroom” are all sub-points of “fulfils these fundamental duties and responsibilities of a university teacher”). It is clear, therefore, that the requirements of the DLSPH divisional guidelines not only differ from those of the PPGP/PPGPTS, but significantly raise the bar for promotion.

ii) **Raising the Standard for Promotion to Full Professor, Teaching Stream**

36. UTFA is concerned that the new divisional guidelines impose a higher standard on Teaching Stream faculty members going up for promotion than was contemplated during negotiations. In particular, the divisional guidelines incorrectly require sustained improvement in the areas of teaching, PPD and educational leadership and/or achievement from the time a teaching stream faculty member attained continuing status. Rather, the assessment of a candidate for promotion in the teaching stream ought to be completed by reviewing the candidates’ accomplishments throughout their career, including the period before they obtained continuing status.

37. It would be inequitable to allow the promotion process in the teaching stream to differ from the promotion process in the tenure stream in terms of the period of one’s career under review. In the tenure stream, the PPGP states, “[t]he successful candidate for promotion will be expected to have established a wide reputation in his field of interest, to be deeply engaged in scholarly work, and to have shown himself or herself to be an effective teacher.” Engagement in scholarly work, for the tenure stream, is evaluated over the course of a faculty member’s career, with no distinction in policy between the pre-tenure and post-tenure periods. In addition, deep engagement can clearly be demonstrated by sustained scholarship and publication. There is no requirement that post-tenure scholarship be superior in quality to pre-tenure scholarship. There is no legitimate reason that teaching stream promotion reviews would be conducted on a different basis.

38. The following provides a clear example of how the divisional guidelines are inconsistent with the PPGPTS standard for promotion in the teaching stream. The FAS divisional guidelines state in regard to the evaluation of PPD:

“A candidate’s ongoing pedagogical/professional development may take the same forms as those outlined in section 3.A above; however, as with teaching, there is an expectation that such development would be sustained over many years and **indicate a strong self-reflective and responsive approach to their pedagogical/professional development goals and plans**. The activities outlined in this area should highlight the candidate’s ongoing development but should also **indicate a significantly more advanced level of development since the candidate achieved continuing status**” (emphasis added).

39. The PPGPTS, however, states the following:

“10. Evidence of **continuing future pedagogical/professional development may be demonstrated in a variety of ways e.g.**, discipline-based scholarship in relation to, or relevant to, the field in which the faculty member teaches, participation at, and contributions to, academic conferences where sessions on pedagogical research and technique are prominent, teaching-related activity by the faculty member outside of his or her classroom functions and responsibilities, and professional work that allows the faculty member to maintain a mastery of his or her subject area in accordance with appropriate divisional guidelines.” (emphasis added)

40. Nothing in the PPGPTS suggests that either a strong self-reflective and responsive approach to PPD or a significantly more advanced level of development *since* the candidate achieved continuing status is required.

41. Likewise, at page 16, the FAS divisional guidelines state that:

“Assessors should be invited to assess the candidate’s work against these guidelines for the granting of Promotion to Full Professor, Teaching Stream and advise whether or not the candidate’s work demonstrates the achievement of excellent teaching (as demonstrated through **excellent teaching skills, excellence in innovative teaching initiatives, and excellence in creative educational leadership/achievement**) and evidence of demonstrated and ongoing pedagogical/professional development, sustained over many years. Assessors should not be asked to make a recommendation either for or against promotion.” (emphasis added)

42. The FAS divisional guidelines incorrectly set out the standard in the promotion policy. The PPGPTS does not require ‘excellence’ in innovative teaching initiatives and in creative educational leadership/achievement.” Rather, the PPGPTS states that **excellence in teaching may be demonstrated through a combination of the three competencies**.

43. Furthermore, the PPGPTS states that “Promotion to Professor, Teaching Stream will be granted on the basis of excellent teaching, educational leadership and/or achievement, and ongoing pedagogical/professional development, sustained over many years” (page 3). Nothing in the PPGPTS suggests that the starting point is since continuing status or that one’s performance must

constantly improve. The FAS divisional guidelines, among others, clearly misstate the criteria for promotion that are set out in the policy.

UTSC

44. On page 19 of the UTSC divisional guidelines, some of the phrasing suggests Excellence in Teaching and Excellent Teaching Skills are two independent criteria for the promotion to Professor, Teaching Stream, in addition to educational leadership and/or achievement and PPD. The UTSC guidelines state:

“For promotion to the rank of Professor, Teaching Stream, candidates must consistently meet the standard of excellence in teaching, as specified above (VII.A), sustained over many years. Moreover, policy requires that educational leadership and/or achievement (section VII.A.2a - f) must be one of the demonstrated criteria, in addition to excellent teaching skills (VII.A.1). For Promotion to Professor Teaching Stream, candidates must also demonstrate ongoing pedagogical/professional development (VII.B, above) that is also sustained over many years.

45. The language in this section should be amended to reflect the language in the PPGPTS, or deleted as the criteria are already set out on page 16 of the document.

iii) **Raising the Standard for Pedagogical/Professional Development (PPD)**

46. On page 11 the UTM divisional guidelines state:

“For the evaluation of continued future pedagogical/professional development **in relation to the criteria set out above**, the candidate **could provide evidence pertaining to:**

1. Participation in curricular development and any relevant work in progress and the introduction of new pedagogical techniques.
2. Ongoing pursuit of further academic qualifications.
3. Discipline-based scholarship in relation to, or relevant to, the field in which the faculty member teaches.
4. Participation at, and contributions to academic conferences in sessions on pedagogical research and technique.
5. Teaching-related activity by the candidate outside of his/her classroom functions and responsibilities.
6. Professional work that allows the faculty member to maintain a mastery of their subject area.

(emphasis added)

47. The language in the PPAA, however, reads:

“Evidence of demonstrated and continuing future pedagogical/professional development **may be demonstrated in a variety of ways** e.g. discipline-based scholarship in relation to, or relevant to, the field in which the faculty member teaches; participation at, and

contributions to, academic conferences where sessions on pedagogical research and technique are prominent; teaching-related activity by the faculty member outside of his or her classroom functions and responsibilities; professional work that allows the faculty member to maintain a mastery of his or her subject area in accordance with appropriate divisional guidelines.” (emphasis added)

48. UTFA is concerned that the listed items in the UTM divisional guidelines have the effect of raising the standard found in the PPAA. Additionally, the language of the divisional guidelines is more prescriptive than that in the PPAA, and must be amended to make clear that there are multiple ways that one could demonstrate continuing future PPD.

iv) Expanding on the Criteria for Competence in Teaching

49. In the Provostial Guidelines there are eight criteria listed as minimum standards required of all faculty members to demonstrate competence in teaching. A number of divisional guidelines expand on this list, thereby elevating the standard (see also, section above re: DLSPH). UTFA is opposed to any such expansion of the minimum criteria to establish competence in teaching.
50. An example of this expansion can be found in the UTM divisional guidelines (page 2), where one additional competency is added:

“Success in fostering skills, such as critical thinking, problem-solving and communication skills, as well as discipline-specific skills”).

51. Furthermore, some of the bullets in the UTM divisional guidelines amend the language found in the Provostial Guidelines (i.e. deletion of “through discovery-based learning”). By qualifying the long-established criteria found in the Provostial Guidelines, the divisional guidelines elevate the minimum standards to establish competence in teaching.

v) Elevated Expectations for Pre-Tenure and Pre-Continuing Status Faculty

A number of divisional guidelines specify evidence that would *normally* be included in a teaching portfolio to demonstrate excellent teaching. It is UTFA’s position, however, that some of the evidence listed should not be expected of *junior* faculty being considered for tenure or continuing status (for example, mentoring junior colleagues or developing technology in the teaching process). The language should be amended to make clear to junior faculty that *not* all of the listed evidence must be demonstrated in their teaching portfolio.

52. For example, on page 10, the UTSC divisional guidelines for the tenure stream should state:

“The Teaching Portfolio ~~would normally include~~ **may include a combination of** the following items, although it is understood that there may be variation based on discipline and teaching practice:” (emphasis added)

And, on page 21, the UTSC divisional guidelines for the teaching stream should state:

“The Teaching Portfolio ~~would normally include~~ **may include a combination of** the following items, if they are relevant to the candidate’s discipline and teaching practice:” (emphasis added)

(vi) Inclusion of Non-Teaching Categories in Guidelines for the Evaluation of Effectiveness in Teaching

53. A number of divisional guidelines for the evaluation of effectiveness in teaching contain sections for teaching stream faculty on PPD and educational leadership and/or achievement. As these are two distinct criteria of review, UTFA believes these sections must be removed or the title of the document must be amended to accurately reflect the content of the documents.

a) Pedagogical/Professional Development

54. PPD is an *independent* criterion for continuing status or promotion to Full Professor, Teaching Stream. While PPD is linked to teaching, and some of the evidence presented by a candidate to establish each criterion may overlap, PPD remains a distinct category in policy. (This is particularly true when the PPD of a candidate is entirely in the form of scholarship or CPA, for example). Including a section on the evaluation of PPD in a divisional guideline on the assessment of *teaching* is, therefore, inappropriate, just as, for the evaluation of *teaching* in the tenure stream, including a section on the evaluation of *research* would be inappropriate. The guidelines must be clear on what they are meant to evaluate.

55. The following are examples of where this issue arises:

- DLSPH, p. 16 and 30.
- UTM, p. 11 and p. 14,
- UTM, p. 12 and p. 15, when asking the Teaching Evaluation Committee to assess evidence of PPD.
- UTSC p.19.

b) Educational Leadership and/or Achievement

56. As described in paragraph 55 with regard to PPD, educational leadership and/or achievement is an independent criterion for Promotion to Full Professor, Teaching Stream. A section on the evaluation of educational leadership and/or achievement in a divisional guideline on the assessment of teaching is misplaced. The intent and the title of the guidelines would have to be changed to accommodate the evaluation of criteria other than teaching.

57. The following are examples of where this is an issue:

- UTM, p. 14
- UTSC, p. 19

58. In the DLSPH divisional guidelines, a corresponding issue is found. In the section on Promotion to Full Professor, Teaching Stream, educational leadership and/or achievement is described in the table as one of the five competencies that demonstrate excellent teaching, but not as an independent criterion needed for promotion. Notwithstanding UTFA's objections concerning the table (as described above), the way the material is presented, with a separate section on PPD but not educational leadership and/or achievement, incorrectly represents the three criteria outlined in the PPGPTS.

c) **Role of Teaching Review Committee**

59. The FAS divisional guidelines provide a detailed explanation of the role of the Teaching Evaluation Committee and the procedures to be followed. As part of its role, the guidelines state that the Teaching Evaluation Committee is asked to provide a critical assessment of the teaching dossier with reference to the criteria for continuing future PPD (p. 12). UTFA does not believe it is the role of this committee to review PPD. Doing so blurs the distinction between the two criteria required for continuing status. Finally, the parallel to PPD in the tenure stream is research, which is not reviewed by the Teaching Evaluation Committee.

(vii) Other Issues in Divisional Guidelines

a) **Course Enrolment Data**

60. The Provostial Guidelines list "course enrolment data; including evidence of demand for elective/senior courses" as a source of information to be considered in the assessment of effectiveness in teaching (page 5, Section 3, 5). It is UTFA's position that course enrolment data are not a relevant indicator of teaching effectiveness. Rather, these data are an unreliable measure subject to bias. Course enrolment is a consequence of other factors, including scheduling and whether a given course is required or elective.

61. Furthermore, UTFA suggests that the consideration of course enrolment data, including demand for a course, may be an infringement on academic freedom, contrary to the Memorandum of Agreement. An example where course enrolment data are required is found in the UTM divisional guidelines, pages 5 and 11, and the UTSC divisional guidelines, page 6.

b) **Evidence of the Quality of Student Theses**

62. The Provostial Guidelines also indicate that "the quality of student theses" is a consideration in evaluating teaching effectiveness (page 5, Section 3, 3). The quality of student theses is a misleading and problematic metric to be considered when assessing the effectiveness of teaching. Not only is it difficult to measure objectively the quality of a student's work, it is also impossible to assess effective teaching without having a greater understanding of the starting point of the student.

63. For example, a very effective professor may advance a poor performing student to completion of a reasonably satisfactory thesis, which judged on its own may appear relatively weak. Without context one cannot judge or credit the effective teaching that helped the student improve the quality of the thesis.
64. Further, faculty members already have the option of including graded student work in their teaching portfolios, which is a much more direct indication of teaching effectiveness than the quality of student theses.
65. It is not clear what kind of evidence of quality faculty members would be expected to provide concerning their students' theses, even if this were a useful criterion. Further, depending on the areas of specialization of the students and the committee members, it is possible the committee members would not be in a position to judge the quality of at least some students' theses.
66. For the reasons above, it is UTFA's position that an assessment of the quality of student theses does not provide meaningful information about teaching effectiveness. Therefore, it should not be considered in tenure, continuing status, and promotion reviews.
67. Examples of where 'quality of student theses' is mentioned in divisional guidelines include the DLSPH divisional guidelines, page 5, UTM divisional guidelines, page 5, and the UTSC divisional guidelines, page 10.

c) Definition of Excellence in Teaching Different for the Tenure and Teaching Stream

68. In a number of divisional guidelines the criteria and evidence that could demonstrate excellence in teaching are placed in separate sections. While the criteria for promotion are distinct in each stream, it is UTFA's position that excellence in teaching in both streams requires that the same standard be met. There is, therefore, no basis to describe separately what is required for the assessment of excellence in teaching. Excellence in teaching is the same for both the Tenure and Teaching Streams.
69. Prior to the revisions of the divisional guidelines, there was no distinction between what constituted excellence in teaching for the tenure and teaching streams. Where divisional guidelines did not exist in a unit, reference was made to the Provostial Guidelines by candidates and their review committees.
70. UTFA has noted that the divisional guidelines of UTM and UTSC are examples of where the evaluation of teaching is described differently for the tenure and teaching streams. One example from the UTSC divisional guidelines illustrates how this can lead to misinterpretation. On page 7 of the UTSC divisional guidelines, the term 'superlative teaching skills' is used as a heading for the tenure stream (page 7), and on page 18 'excellent teaching skills' is used as a heading for a similar section for the teaching stream (page 18). Because different terms are used, one can infer they have different meaning. UTFA raised this issue in its February 12, 2018, letter to Maydianne Andrade.

d) **Student Evaluations of Teaching (SETs)**

71. Since the release of Arbitrator Kaplan’s decision at Ryerson University on June 28, 2018, regarding the use of SETs in promotion and tenure decisions, UTFA has raised numerous concerns about the University of Toronto’s use of SETs (see, for example our letters dated September 27, 2018 and October 26, 2018). UTFA is in the process of preparing an Association Grievance to deal specifically with this issue.
72. Without prejudice to any position UTFA takes on SETs in a separate grievance, for the purposes of the divisional guidelines, UTFA notes that all newly drafted divisional guidelines currently require that data from SETs be provided as part of the teaching dossier. Should agreement be reached between UTFA and the Administration on the use of SETs, UTFA expects that any necessary changes to divisional guidelines will be made expeditiously in accordance with that agreement.
73. For the purposes of this grievance, UTFA wishes to note the following issues found in the divisional guidelines concerning student evaluations. In some divisional guidelines, it is suggested that students *evaluate* the teaching effectiveness of the candidate under review. In accordance with the Kaplan decision, this language should be changed so that students are asked to provide information about their *experience* in a course. Please refer to the following sections of the UTM Divisional Guidelines for examples of where this is an issue: page 4, C. 1 and 2, page 7, C. 1 and 2, page 10, C. 1 and 2, and page 12, C. 1 and 2
74. In other sections of the UTM divisional guidelines, information is sought from graduate students about their opinion of a candidate’s ability as a supervisor. This should re-worded to capture the student’s experience working with and studying under the candidate. See for example the UTM divisional guidelines at page 5, C. 3 and p. 8, C. 3
75. The UTM guidelines also ask for the Teaching Evaluation Committee to provide an analysis of the student course evaluations. Until changes are made to the way the University of Toronto undertakes SETs (including ensuring informed consent is sought from students, amending the questionnaire provided to students, and ensuring the Teaching Evaluation Committee members are appropriately trained on how to interpret the information from the questionnaires), this requirement to consider SETs should be removed (see, for example, p. 5, D.2 and p. 11, D. 2).
76. The FAS divisional guidelines, section 2, part B, state:
- “3. Course evaluation reports
Summary reports for all courses taught by the candidate since their initial appointment should be provided to the committee. The reports should include the quantitative data for all institutional questions, including comparative departmental data. Additionally, **all qualitative comments from two or three courses that reflect the various types of teaching in which the candidate engages (e.g. large lecture and small seminar) should be provided.**” (emphasis added)

77. UTFA believes that anonymous student comments should never be a required part of a teaching dossier for the purposes of tenure, continuing status, and promotion. Only signed student letters may play a role in the evaluation of a candidate.

78. In some divisional guidelines it is unclear whether SETs results are provided to external examiners. For example, on page 25, the UTSC divisional guidelines state that the contents of a dossier (which includes SETs) go to the external examiners. It is UTFA's position that external examiners should not be in receipt of SETs.

79. On page 5 of the DLSPH divisional guidelines the following is listed as a source of information for the evaluation of teaching:

2. Student letters **as comprehensive and objective as possible**. Such information should be gathered from students who have been taught and those who have been supervised by the faculty member. (emphasis added)

80. UTFA questions how a promotion committee will verify if a student letter is "as objective as possible?" Student opinions are by definition subjective opinions about their experience in a course and should not be used as a basis for making inferences about teaching effectiveness.

Corrective action

81. On behalf of its members UTFA requests the following corrective action:

- a) That all divisional guidelines be amended in accordance with policy and practice and to ensure consistency with the procedural purposes of the divisional guidelines;
- b) That all divisional guidelines that are submitted to the Provost by individual faculties be forwarded to UTFA within a reasonable timeframe before going up for approval;
- c) That a joint working group be formed to develop guidelines acceptable to both the Administration and UTFA; and
- d) That any faculty member whose career progression has been hindered by divisional guidelines not in compliance with policies be made whole.

82. Notwithstanding the filing of this grievance, UTFA asks that any faculty member whose dossier is currently under review for promotion proceed without delay.

Sincerely,



Cynthia Messenger
President, UTFA

cc. Professor Terezia Zoric, Vice President Grievances, UTFA
Professor Claude Evans, Chair, Appointments Committee, UTFA
Helen Nowak, General Counsel, UTFA