

APPENDIX X: PROCESS FOR ADVANCEMENT TO APPLIED MUSIC SESSIONAL II

Eligibility

Provided an Applied Music Sessional possesses an advanced degree or significant professional accomplishments, an Applied Music Sessional is eligible for consideration to be advanced to the rank of Applied Music Sessional II where the applicant has:

- Taught at least thirteen (13) applied music appointments in the prospective advancing Department in the past seven (7) years and no fewer than three (3) years

For clarity, the applicant does not need to be employed consecutively within the advancing Department; they will be eligible to apply for advancement as long as they meet the requirements within the seven (7) year timeframe.

For further clarity, the advancement eligibility above is subject to Article 19:09(f) – Pregnancy Leave, and Article 19:10(g) – Parental Leave, and leaves of absence taken in accordance with the applicable Domestic Violence leave provisions of the Collective Agreement.

Implementation of Advanced Status

An Applied Music Sessional who is successfully advanced to Applied Music Sessional II will be offered employment in the advancing Department on the following terms:

- (a) Subject to paragraph (f) below, the Employer commits that, upon advancement to Applied Music Sessional II, the Applied Music Sessional II will be offered the opportunity to teach three (3) applied music appointments per year in the advancing department in the academic year(s) following advancement in accordance with the provisions set out herein provided that the employee has been employed as an Applied Music Sessional II in the previous year, or was advanced to Applied Music Sessional II in the previous year, or was on leave in accordance with (b) below in the previous year. The determination of which applied music appointments will be offered is at the discretion of the Chair or Chair's designate, after prior consultation with the Applied Music Sessional II.
- (b) In order to facilitate instructional planning, the Chair or Chair's designate of the advancing Department will ask in writing no later than March 1st if each Applied Music Sessional II wishes to be assigned teaching in the following academic year. The Applied Music Sessional II must respond in writing by March 31st confirming whether or not they wish to be assigned teaching in the following academic year. For clarity, in the event that the Applied Music Sessional II does



not wish to be assigned teaching in the following academic year, then the commitment in paragraph (a) shall not be applicable for that academic year.

Alternatively, an Applied Music Sessional II may notify the Chair or the Chair's designate in writing of their intention to take an unpaid leave of absence of no less than one (1) academic term and no more than two (2) academic years. Such written notification must be received by the Department no later than March 31. Renewal of such leave for a period longer than two (2) years shall be subject to approval of both the Division Head and the Vice-President, People Strategy, Equity & Culture.

If an Applied Music Sessional II does not return after a two (2) year or longer approved leave of absence, the Applied Music Sessional II shall be deemed to have resigned and shall lose the rank of Applied Music Sessional II. Should the employee apply to a position in the bargaining unit, the employee will be considered an Applied Music Sessional I. Failure to return from such a leave will be considered a break in service.

Notwithstanding the foregoing, Applied Music Sessional IIs who are appointed to the teaching staff of the University in positions outside this bargaining unit shall be entitled to leave from their position as an Applied Music Sessional II for the length of such appointment.

- (c) The commitment in (a) does not apply if, in any applied music appointments taught in the previous academic year, the Applied Music Sessional II has not performed satisfactorily. In the case of a decision on the part of the advancing department not to apply the commitment on this basis, the affected individual may file a grievance under and in accordance with Article 12 (Grievance Procedure).
- (d) The foregoing commitment and process only applies with respect to appointments in the advancing department. Nothing precludes the Applied Music Sessional II from applying for teaching appointments posted outside the advancing department nor for applying for additional appointments beyond the commitment within the advancing department.
- (e) The provisions of Articles 17:13 (Postings); 17:07 (Composition of Pool); 17:16 – 17:20 (Application); 17:11 – 17:12 (Hiring Criteria); 17:12 – 17:15 (Notice of Appointment); and 12:01 (b) (i) and (ii) (Hiring Grievances) do not apply to appointments that are offered and/or filled in compliance with the terms of this Appendix.



(f) Where a Department is unable to meet the commitment in (a) for a period longer than one (1) year, for reasons including but not limited to the assignment of an appointment to a faculty member, changes in accreditation requirements, and/or curricular change etc., the Department will notify the employee and the Union by April 30th. Employees who receive such notification will be entitled to elect:

i. To remain in the Department pool for the upcoming academic year and;

- at the discretion of the Chair be appointed to teach three (3) applied music appointments as may become available as an unanticipated vacancy; and if no such applied music appointments become available,
- receive payment in lieu of the difference between the applied music appointments offered and the commitment in paragraph (a)

At the end of that academic year, the commitment in (a) above will at the request of the employee be put in abeyance for up to two (2) year(s). If at the end of the period of abeyance the Department continues to be unable to meet the commitment, such an employee shall cease to be entitled to receive the commitment in paragraph (b) above and shall be eligible to receive severance in accordance with Article 29 (Severance).

Or

ii. To immediately elect to take payment in lieu of the applied music appointments set out in paragraph (a) in addition to severance in accordance with Article 29 (Severance)

Notification of Process

Reference to advancement eligibility, early initiation, and the advancement process as found in Appendix X shall be made in all letters of offer. Furthermore, employees in the bargaining unit shall receive regular reminder(s) at least once per academic term of the advancement eligibility criteria and process.

Initiation of Process

Once an applicant meets the eligibility criteria, the applicant may, by letter to the Chair of the employee's prospective advancing department, request the initiation of the advancement process. The applicant's letter must be received not later than September



30 for advancement consideration in the Fall term, or January 31 for advancement consideration in the Spring term.

For clarity, the applicant may request initiation of the advancement process in any academic term after they meet eligibility criteria in accordance with the provisions of this Appendix.

Early Initiation of Process

Notwithstanding the foregoing, if an applicant requires only five (5) or fewer applied music appointments of teaching to meet the eligibility criteria above (i.e. has taught at least eight (8) applied music appointments in the department in the past seven (7) years and no fewer than two (2) years, and if the applicant has then been appointed in a Fall or Spring term during which the applicant will reach or exceed all eligibility criteria, the applicant may request to initiate the process for advancement early, that is, the applicant may ask to be considered for advancement during that appointment in which the applicant will achieve the eligibility criteria for advancement. The applicant's letter to the Chair requesting early initiation of process must be received no later than September 30 for F or Y applied music appointments, or January 31 for S applied music appointments.

Advance Request for Applied Music Instruction Observation

If requested, in writing, by the applicant in advance of formal initiation of the advancement process, the Chair shall, subject to operational requirements, arrange for the applied music instruction observation to be conducted during the applicant's final qualifying applied music appointment or appointments.

Advancement Process

Within ten (10) working days of receipt of the applicant's letter requesting advancement, the Chair of the applicant's advancing department will respond in writing to the applicant, advising the applicant of the names of the Advancement Committee, which shall be composed of the Chair (who shall act as Chair of the Committee), another relevant academic administrator, and two (2) or three (3) other members of the teaching staff, appointed by the Chair. One of the members of the Committee shall be a member of CUPE Local 3902 Unit #3 who holds the rank of Sessional Lecturer II or Sessional Lecturer III in the department, or in a related field or department, provided the member agrees to so serve. Where practicable, at least one of the Committee members will have a field of expertise closely related to the music performance area in which the applicant teaches. At the Chair's discretion, Committee member(s) may be drawn from more than one department. Where the applicant teaches in multiple departments, the Chair is encouraged to select Committee members in a manner that is representative of the Departments in which the applicant teaches.

Within two (2) weeks of the date of the Chair's letter, the applicant may advise the Chair in writing of any express reservations with respect to the appointed members. The Chair



will then advise the applicant in writing of the final composition of the Advancement Committee and the anticipated timing of its review and decision.

The Chair shall designate a member or members of the Committee to observe the applicant engaging in the applied music instruction of a student as a critical and requisite part of the advancement process. The applicant shall be consulted in advance about the date(s) to be observed and shall be advised with a minimum of one (1) week notice of the observer(s) and the date(s) of the observation(s). The observer(s) shall prepare a confidential written report for submission to the Advancement Committee. The applicant shall be provided with an executive summary of the written report.

Student course evaluations considered by the Advancement Committee shall be provided by the advancing department. Such evaluations may include evaluations for courses taught outside the advancing Department. However, student course evaluations shall not be the sole criterion for withholding advancement. The applicant's employment file(s) shall also be available to the Committee.

The initial letter to the applicant will also identify the written material to be submitted by the applicant for the Committee's consideration, and will indicate the date by which the material needs to be submitted, which can be no less than four (4) weeks from the date of the letter:

- A curriculum vitae, which shall include a complete list of all students taught in the past seven (7) years
- A teaching dossier, which shall include a list of past and current student achievements, and representative samples of written feedback to students, such as interim and final reports, and jury and recital adjudications
- A statement from the applicant indicating how the material in the dossier and/or curriculum vitae demonstrates the applicant's currency with and mastery of applied music pedagogy, and superior applied music instruction.

The focus of these submissions shall be to demonstrate the applicant's currency with and mastery of the subject matter and superior applied music teaching. Currency with and mastery of the subject matter can be demonstrated in a range of ways, including professional experience and lived experience. In addition, all those who are raised to the rank of Applied Music Sessional II shall demonstrate that they have adhered to the following principles:

An employee shall carry out responsibility for teaching with all due attention to the establishment of fair and ethical dealings with students, taking care to be accessible to students for academic consultation, to inform students adequately regarding course formats, assignments, and methods of evaluation, to maintain teaching schedules in all but exceptional circumstances, to inform students adequately of any necessary cancellation and rescheduling of instructions and to comply with established procedures and deadlines for determining, reporting and reviewing the grades of students.



In performance of their duties, they shall deal fairly and ethically with their colleagues, shall avoid discrimination, shall not infringe their colleagues' academic freedom, and shall observe appropriate principles of confidentiality.

Confidentiality

The Committee's deliberations shall be confidential.

Outcomes

The Committee's recommendation must be approved by the Chair and by the Division Head.

The Chair shall advise the applicant in writing of the outcome of the advancement process by December 31st, or before if possible for F and Y appointments and by April 30 for S appointments.

An applicant who is advanced to the rank of Applied Music Sessional II shall assume that rank for purposes of remuneration immediately and retroactively to the beginning of the first term in which the advancement process was undertaken.

Where a Department does not adhere to the timelines for the written communication of the outcome of the advancement process, and where the applicant has fulfilled all of the obligations and requirements in accordance with the advancement process, then the applicant shall be entitled to be remunerated at the advanced rate for position(s) held in the subsequent academic term. If the Departmental delay described above continues beyond that subsequent academic term then the applicant shall continue to be remunerated at the advanced rate until the end of the academic term in which the written communication of the outcome of the advancement process has been provided to the applicant.

An applicant who is not advanced to the rank of Applied Music Sessional II may be eligible for re-evaluation after a further two (2) years of employment or a minimum of ten (10) further applied music appointments or the equivalent, whichever comes first. It is understood and agreed that an applicant who is not advanced to the rank of Applied Music Sessional II remains eligible for appointment at the rank of Applied Music Sessional. It is understood and agreed that the decision not to advance the applicant, in and of itself, will not be considered in future hiring decisions.

The letter to an applicant advising of an unsuccessful advancement shall contain a summary of the reasoning and evidence that formed the basis for the decision.

Appeals

If an applicant is not advanced to the rank of Applied Music Sessional II, the applicant may request, by letter to the Chair of the advancing department within twenty (20) working



days of receiving notice to that effect from the Chair, a meeting with the Division Head (or designate) for the purpose of reviewing the reasons underlying the decision. The meeting will be arranged without undue delay. The applicant shall have the right to be accompanied or represented by a Union Representative.

The Division Head (or designate) shall have the authority to amend the advancement decision under review.

In the event that the applicant is not satisfied with the decision of the Division Head (or designate), the applicant shall have the right to request, within ten (10) working days, through the Union, an appeal to the University of Toronto Advancement Review Panel.

University of Toronto Advancement Review Panel

A University of Toronto Advancement Review Panel (ARP) shall be established to review decisions which do not result in advancing the applicant to the rank of Applied Music Sessional II.

The Panel shall be composed of eight (8) full-time faculty members of the University of Toronto, each from a different Department, and three (3) Sessional Lecturer IIIs. The Union and the University shall each propose the names of prospective members until eleven (11) mutually-agreeable names have been identified.

A member of the Panel may not participate in a review originating in a Department with which the member is affiliated. The Director of the Centre for Teaching Support and Innovation may be requested to serve in an ex-officio advisory capacity.

The parties shall by mutual agreement designate a Panel Chair.

The Panel Chair shall have the responsibility of selecting three (3) members from the agreed list of members to comprise the ARP Committee for a given appeal, at least one (1) of which must be a Sessional Lecturer III. It is understood and agreed that the University and the Union shall have the right to raise with the Panel Chair any concerns of a potential conflict of interest in respect of certain members in a given appeal. The Panel Chair shall give due consideration to such concerns in comprising the ARP Committee. The final composition of the ARP Committee in a given appeal shall be determined by the Panel Chair.

It is understood and agreed that the Panel Chair may select a designate to act as the Panel Chair should the Panel Chair be in a conflict of interest in respect of certain members in a given appeal.

When a review is requested, the ARP Committee shall be provided with:

- The applicant's original application (including curriculum vitae, teaching dossier, and statement; any student evaluations and other documentation relied upon during the initial proceedings)



- The Chair's letter to the applicant
- A written submission from the applicant
- The Division Head's (or designate's) written response to the applicant's submission
- All evidence the Advancement Committee had before it in making its original decision

In addition, the applicant may include a response to the Division Head's response. The ARP Committee shall consider the material and submissions, and shall either confirm the Advancement Committee's decision or determine that the applicant is to be advanced to the rank of Applied Music Sessional II.

The ARP Committee's considerations will be arranged without undue delay, and its written decision, with reasons, shall be made in as expeditious a manner as possible.

Discussions or representations occurring during this process are without precedent or prejudice, and may not be relied upon in any subsequent proceeding. Its decisions shall be final and binding. Normally, decisions shall be issued within ten (10) working days of finalizing the decision.

Definitions

For the purposes of this Appendix:

- "Year" shall mean the twelve months between September 1 and August 31.
- "Department" shall mean a department within a faculty, or a single-department faculty, on a specific campus (e.g. the Department of English in the Faculty of Arts and Science on the St. George Campus); or a multi-disciplinary unit on a specific campus (e.g. the Department of Historical Studies at UTM); or for a particular advancement application, an approved extra-departmental program on a specific campus *on a without prejudice basis* (e.g. Cinema Studies at Innis College on the St. George campus).
- "Chair" shall mean the head of the department as defined above.
- "Panel Chair" shall mean the Chair of the University of Toronto Advancement Review Panel.
- "Applied Music Appointment" shall mean one (1) student assigned to an Applied Music Sessional for a full academic year of applied music instruction.