



# Eastern Kentucky University

## Policy and Regulation Library

University Policy: 4.6.4POL

Responsible Office(s): Provost, Deans,  
Departments

Effective: August 15, 2013

Next Review Date: Fall 2020 (Original 2017)

## University Policy: 4.6.4POL

### Tenure and Promotion

#### Statement

Eastern Kentucky University, as a matter of principle, complies with the American Association of University Professors and the Association of American Colleges and Universities “1940 Statement of Principles on Academic Freedom and Tenure.” The AAUP and AAC&U statement addresses policy and procedural expectations for a wide variety of institutions of higher education. With this statement in mind, EKU shall establish specific, objective criteria and processes by which tenure and promotion decisions will be made. EKU’s policy ensures that criteria and processes are clearly articulated and published and are available to all persons in the university community.

EKU’s policy for tenure and promotion respects the uniqueness of disciplines within the University and provides for appropriate professional flexibility at college and department levels.

#### Entities Affected

- Faculty
- Departments
- Colleges
- University-level administrators

#### Policy Principles

1. Department committees, consisting of elected tenured faculty members, and the Department Chair shall have the primary responsibility for evaluating candidates in their Department for tenure and promotion. Throughout the tenure and promotion process, Department evaluations shall be given weight that reflects this primary responsibility.
2. Policies for tenure and promotion shall state the specific criteria for each of teaching, scholarly/creative activities, and service to be used in the evaluation and

how they shall be applied. While teaching is the primary mission at EKU, scholarly/creative activities and service are both important and weighted according to Department guidelines. Those specific criteria shall be provided to faculty when they begin their tenure-track employment at EKU and those criteria shall be the basis for the tenure decision.

3. The recommendations in the decision-making process shall be based on documented and verifiable evidence and the review process shall be transparent. Evidence shall include documentation of the candidate's performance and how that performance compares to the criteria for tenure and promotion.
4. Throughout the process, the principle of confidentiality shall be respected.
5. Review processes at each level shall include appropriate evaluations of performance in teaching, scholarly/creative activities, and service. These evaluations shall become part of the candidate's dossier.
6. Review processes at each level shall be limited to professionally relevant considerations and shall include documented evidence of performance from the candidate, students, other faculty, and appropriate administrators. The documented evidence shall be part of the candidate's dossier.
7. The justification for or against tenure and/or promotion shall be stipulated in writing and maintained in the candidate's dossier at every step in the process.
8. The Department and College procedures not determined by this tenure and promotion policy (Policy 4.6.4) shall be developed and approved by tenure-track faculty (see definition, pg. 11) composing these units. Such procedures shall be made available to the faculty in these units.
9. An appeal process shall be included in the tenure and promotion policy (Policy 4.6.4).
10. At each level, the candidate shall be notified in writing of the results of the deliberations, including the reasons for the recommendations.

No individual participant in the process may vote at more than one level of the process.

## Tenure Appointments

### **Eligibility**

A tenure-track faculty member shall be eligible for tenure after completing a six-year probationary period of continuous full-time service at EKU and attaining the rank of Assistant Professor or above. Leaves of absence may not be counted toward the six years of full-time service, but they shall be considered as continuous service. For example, a faculty member may take a year's leave of absence after five years, return, and after an additional year be eligible for tenure. Previous service in other institutions normally does not count toward tenure requirements unless agreed upon in writing at the time of hire. For faculty employed at mid-year, the probationary period does not begin until the beginning of the next academic year.

### **Adjustments to Probationary Period**

A faculty member may request an adjustment to his/her probationary period. An adjustment to the probationary period does not change the normal criteria for a tenurable record, nor does it imply that the faculty member will be held to a higher standard than

the one he/she would have had to meet at the originally scheduled date. An adjustment to the probationary period does not guarantee that the faculty member's appointment will be extended through the year in which the tenure decision is due (i.e., a non-reappointment decision is still possible during the probationary period even if an adjustment to the probationary period is approved).

A faculty member may request an extension of the probationary period for qualifying exigencies as outlined in Policy 8.2.14, Family Medical Leave, even if the faculty member does not take leave, or for extenuating circumstances (e.g., a physical disaster affecting research materials). An extension may be granted for a maximum of one year and does not relieve the faculty member from fulfilling his/her regularly assigned duties.

Requests for an extension to the probationary period must be submitted in writing to the Chair of the Department within 90 days after the occurrence of qualifying exigency or extenuating circumstance, but not after May 15 for candidates eligible for tenure in the next academic year. Such requests shall provide a detailed description of the circumstances thought to warrant the extension and shall include supporting documentation. The request for an extension to the probationary period shall be forwarded via the Chair and the Dean, with the recommendations or comments to the contrary of each, to the Provost for review and approval. The Provost's decision is final. The Provost shall notify the faculty member in writing, with a copy to the President, to the Dean of the College, and to the Chair of the Department.

### **Tenure Recommendations**

Recommendations for tenure originate in the department in which tenure is granted. The President recommends approval of tenure to the Board of Regents, which has the authority to grant tenure.

### **Failure to Attain Tenure**

If, by the end of the candidate's probationary period, the candidate is not recommended for tenure, a one-year terminal appointment shall be tendered. The President shall formally notify the candidate that tenure will not be awarded at least twelve (12) months prior to the end of the terminal appointment.

## **Provisions of Tenure**

Attainment of tenure status by a faculty member shall remain in effect unless just cause shall be shown for terminating employment. Tenure status shall remain in force during good behavior and efficient and competent service. A tenured faculty member shall not be terminated except for any of the following causes: incompetency; refusal to perform or neglect of assigned duties; or immoral conduct. In addition, bona fide financial exigencies may be cause for termination of employment.

Should the institution determine that a tenured faculty member is to be discharged, a written notice of the cause(s) for such action shall be given to the faculty member. Tenured faculty receiving such a notice have the right to be heard in person or by counsel

before the Board of Regents. Within 15 days after receiving a notice of charges, the individual concerned shall send a written request for a hearing to the Secretary of the Board of Regents. The Board of Regents shall set the time of the hearing no sooner than 15 days nor later than 45 days after receiving the request.

## Application for Tenure and Promotion

1. Since both rank and tenure are academic designations within the University, they shall be awarded only to personnel who meet the qualifications and criteria for rank or tenure in an existing Department or College; whose credentials are approved by the Department, College, and University; and who are qualified to perform at that rank in the academic Department.
2. A prospective faculty member of the University who is being considered for academic rank and/or tenure will be awarded the rank and/or tenure in an existing Department only with the prior concurrence of the new Department.
3. Currently employed faculty who hold academic rank and tenure in one Department but transfer to another Department shall retain their rank and tenure with the prior concurrence of the new Department.
4. Currently employed faculty who hold academic rank, but not in an established Department, must seek tenure or promotion through the academic Department and College most closely related to their educational qualifications and/or professional responsibilities.
5. The Provost and the Dean shall ensure that agreed-upon exceptions to tenure and promotion policy are documented in writing at the time of a faculty member's initial appointment in a full-time, tenurable position so that such exceptions are recognized and applied in the review of application for tenure, promotion, or both.
6. Other exceptions to tenure and promotion policy may only be made under extraordinary circumstances.

## Criteria for Tenure and Promotion

### **Principles for Establishing Criteria for Promotion and Tenure**

1. Criteria for tenure shall be distinct from criteria for promotion.
2. The University shall identify and publish University-wide criteria for tenure and promotion.
3. Consistent with the University criteria, each College shall identify College-wide criteria for tenure and promotion within the areas of teaching, scholarly/creative activity, and service.
4. Consistent with University and College criteria, each Department shall identify specific criteria for tenure and promotion within the areas of teaching, scholarly/creative activity, and service.
5. Criteria should also be articulated for the Libraries.
6. All criteria shall allow for diversity in faculty contributions and shall reflect ECU's traditional emphasis upon effective teaching.

The criteria that follow are broad criteria for use University-wide.

## CRITERIA FOR TENURE

Tenure shall be granted to faculty members whose professionalism and achievements in serving the University's mission demonstrate the potential for effective long-term performance, thus warranting the institution's reciprocal long-term commitment.

The following criteria apply to recommendations and decisions concerning tenure. Other criteria may apply to decisions concerning initial appointments and promotion.

1. Terminal graduate degree in an appropriate discipline and as approved in compliance with Policy 4.6.1, Determining Qualifications for Faculty Teaching Credit-Bearing Courses.
2. Rank of Assistant Professor or above
3. Probationary period of six years of continuous full-time service, unless otherwise specified in writing at the time of initial appointment to a tenure-track position
4. Performance in the areas of teaching, scholarly/creative activities, and service that meets established criteria. In reviewing all three areas, collegiality shall be considered. (See Definitions, P.11).
  - 4.1. Teaching – a continuous record of successful teaching as determined by department criteria and which may include, for example, student opinion of instruction; peer observations/evaluations; organization of course materials; course development; honors or recognitions for teaching; or views of alumni.
  - 4.2. Scholarly/Creative Activities – evidence of scholarly/creative activities relevant to the faculty member's appointment as determined by the department criteria and which may include, for example, an active program of research, participation in professional development to enhance scholarly/creative activities, creative products or performances, publications, presentations, exhibitions, grant proposals/awards, professionally-related innovations, and other forms of scholarship of discovery, integration, application, or teaching. (see Ernest Boyer's *Scholarship Reconsidered*)
  - 4.3. Service – evidence of effective, professionally-related service as determined by the department criteria and which may include, for example, service in the department, college, or university; service in the profession; and, as appropriate, professionally-related service in the community.

## CRITERIA FOR PROMOTION

The following criteria apply to recommendations and decisions concerning promotion. Other criteria may apply for decisions about initial appointments and tenure. From rank to rank, criteria reflect increasing expectations within the same areas of performance considered for promotion in rank.

*For Promotion from Instructor to Assistant Professor*

- 1.1 **Educational qualifications:** terminal graduate degree in appropriate discipline and as approved in compliance with Policy 4.6.1, Determining Qualifications for Faculty Teaching Credit Bearing Courses.
- 1.2 **Time in rank:** minimum of one year of full-time service at EKU prior to applying for promotion or a term of full-time service agreed upon and documented at the time of initial appointment.
- 1.3 **Experience:** evidence of successful teaching and/or related work experience (demonstrated, for example, through student opinion of instruction, at least one other systematic form of evaluation, course outlines, assignments, students' work, views of alumni, or other evidence requested by the department).
- 1.4 Demonstrated engagement in scholarly/creative activities relevant to the faculty member's appointment. Examples of activities include an active program of research, participation in professional development, creative products or performances, publications, presentations, or other forms of scholarship of discovery, integration, application, or teaching. (see Boyer)
- 1.5 Satisfactory performance in professional-related service in the department, college, or university; in the profession; and, as appropriate, in the community.

*For Promotion from Assistant Professor to Associate Professor*

- 1.1 **Educational qualifications:** terminal graduate degree in appropriate discipline and as approved in compliance with Policy 4.6.1, Determining Qualifications for Faculty Teaching Credit Bearing Courses.
- 1.2 **Time in previous rank:** minimum of three years of full-time service at EKU or a term agreed upon and documented at the time of initial appointment; candidates may apply for promotion in the third year.
- 1.3 **Experience:** sustained record of successful teaching (demonstrated, for example, through student opinion of instruction, peer observations/evaluations, course outlines, assignments, students' work, views of alumni, and other evidence requested by the department).
- 1.4 Effective contribution to teaching at EKU; for example, revision of curriculum, innovations in teaching, involving students in teaching, teaching in alternative modes and settings, etc.
- 1.5 Record of successful peer-reviewed scholarly/creative activities accomplished at state, regional, national, or international level. Examples of activities include creative products or performances, professionally related innovations, grant proposals/awards, publications, presentations, exhibitions, or other forms of scholarship of discovery, integration, application, or teaching. (see Boyer)
- 1.6 Record of effective professionally-related service in the department and in the college or university; in the profession; and, as appropriate, in the community.

*For Promotion from Associate Professor to Professor*

- 1.1 **Educational qualifications:** terminal graduate degree in appropriate discipline and as approved in compliance with Policy 4.6.1, Determining Qualifications for Faculty Teaching Credit Bearing Courses.
- 1.2 **Time in previous rank:** minimum of five years of full-time service in rank at ECU or a term agreed upon and documented at the time of initial appointment; candidates may apply for promotion in the fifth year.
- 1.3 **Experience:** sustained record of superior teaching (demonstrated, for example, through student opinion of instruction, peer observations/evaluations, course outlines, assignments, students' work, views of alumni, and other evidence requested by the department).
- 1.4 Additional effective contributions to teaching; for example, innovations in teaching, revision of curriculum, team teaching, involving students in teaching, teaching in alternative modes or settings, etc. Demonstration of leadership in teaching.
- 1.5 Sustained record of successful peer-reviewed scholarly/creative activities accomplished at state, regional, national, or international level. Examples of activities include creative products or performances, professionally related innovations, grant proposals/awards, publications, presentations, exhibitions, or other forms of scholarship of discovery, integration, application, or teaching (see Boyer).
- 1.6 Sustained and broad record of effective professionally related service at multiple levels in the university and in the profession and, as appropriate, in the community. Demonstration of leadership in service.

## Procedures

### **ESTABLISHING DEPARTMENT AND COLLEGE PROCEDURES**

#### Department

- 1) Each Department shall establish procedures and methods for selecting the Department committee for promotion and tenure. Procedures for the selection of the Department committee and procedures for the consideration of the matters of tenure and promotion within the Department shall be approved by a majority of the full-time tenure-track members of the Department and reviewed by the Dean for compliance with this University document. Each Department shall establish clear definitions and delineations of the responsibilities of the committee and the Department Chair.
- 2) A statement of the procedures and of the responsibilities of the committee shall be filed in the offices of the Dean and of the Department Chair.
- 3) Changes in the Department procedures shall be made by a majority vote of the full-time tenure-track members of the Department and shall be reviewed by the Dean by May 1 prior to the academic year in which the changes are to take effect.

#### College

- 1) Each College, by majority vote of the full-time tenure-track faculty, shall develop written guidelines for tenure and promotion procedures to include at least the following:
  - a. Criteria unique to that College.
  - b. Procedures and methods of selecting the College committee to review candidates for tenure and promotion and the selection of the chair of that committee.
  - c. Clear definitions and delineations of the responsibilities of the committee and the College Dean.
- 2) A statement of the College guidelines for tenure and promotion shall be filed in the offices of the Dean and of the Provost.
- 3) Changes in the College procedures shall be made by a majority vote of the full-time tenure-track members of the College and shall be reviewed by the Provost by May 1 prior to the academic year in which the changes are to take effect.

## **ESTABLISHING PROMOTION AND TENURE COMMITTEES**

### Departments

Department committees for tenure and promotion shall be composed as determined by the full-time tenure-track faculty of the Department, within the following guidelines:

- a) The committee shall consist of no fewer than three voting members, which shall be elected from the full-time tenured faculty. If a Department is too small to provide such a committee, the Department may select a full-time tenured faculty outside the Department with the advice of the College Dean. In this case, the faculty member may not serve on the promotion and tenure committee of more than one Department.
- b) The maximum number of members shall be determined by the Department.
- c) If a faculty member or a member of his or her family/household is being considered for tenure or promotion, the faculty member may not serve on the committee that year. The Department procedures shall provide for an alternate who shall serve throughout the year. If the Department cannot comply with this provision because of the size of the Department or other unique circumstance, the procedure in (a), above, shall be followed.
- d) The committee shall be elected no later than September 10 of the year in which it is to function.

### Colleges

College committees for tenure and promotion shall be composed as determined by the full-time tenure-track faculty of the College, within the following guidelines:

- a) Membership on College promotion and tenure committees shall be limited to full-time tenured faculty members with the rank of Associate Professor or Professor or equivalent rank (e.g. Associate University Librarian).
- b) The committee shall consist of no fewer than six voting members and at least one alternate and shall be constituted so as to characterize the Departmental diversity within the College.



- c) If a faculty member or a member of his or her family/household is being considered for tenure or promotion, the faculty member may not serve on the committee that year. The College procedures shall provide for an alternate who shall serve throughout the year.
- d) Members of the College promotion and tenure committee cannot simultaneously serve on the Department committee or the Faculty Evaluation Appeals Committee.
- e) The committee shall be elected no later than September 10 of the year in which it is to function.

#### Faculty Evaluation Appeals Committee (FEAC)

The Faculty Evaluation Appeals Committee shall consist of a faculty member from each College and from the Libraries.

- a) Each College shall elect a full-time tenured member holding the rank of Professor to serve on FEAC.
- b) The Libraries shall elect a full-time Library faculty member holding the highest rank currently achieved by Library faculty.
- c) One alternate shall be elected from each College and from the Libraries. Alternates must meet the qualifications stated above.
- d) No member of FEAC can be a voting member of any promotion and tenure committee.
- e) A member of FEAC shall not participate in the review of a case where there is a conflict of interest.
- f) The members of FEAC serve staggered two-year terms.
- g) The committee shall be elected no later than May 1 of the year prior to the year in which it is to function.

### **THE APPLICATION PROCESS**

#### Eligibility

##### **Tenure**

1. No later than April 15, the Dean shall notify the Department Chair of faculty eligible for tenure in the next academic year.
2. No later than May 1, the Department Chair shall notify eligible candidates and provide them with guidelines and deadlines for application submission in the next academic year.
3. If a faculty member has not been notified by May 1 of tenure eligibility and believes this to be in error, the faculty member must submit a written request for review to the Department Chair, with a copy to the Dean.
4. No later than September 1, all eligible candidates for tenure shall notify the Department Chair in writing, with a copy to the Dean, of the intent to apply for tenure in the present academic year.
5. Failure to comply with these dates does not result in de facto tenure.

##### **Promotion**

1. No later than September 1, the candidate shall notify the Department Chair in writing, with a copy to the Dean, of the intent to apply for promotion in the present academic year.

#### Failure to Submit Tenure Application

It is the responsibility of the candidate to submit an application for tenure. Failure to do so will result in a terminal appointment.

#### Withdrawal of Promotion and/or Tenure Applications

1. Should an applicant for promotion choose to withdraw from candidacy, the applicant shall so inform the Department Chair, the Dean, and the Provost in writing.
2. Should an applicant for tenure choose to withdraw from candidacy, the applicant shall so inform the Department Chair, the Dean, and the Provost in writing, and shall submit a letter of withdrawal prior to March 20 in the academic year the candidate is seeking tenure. Tenure candidates who withdraw from the process will be issued a terminal appointment.

### **CONDUCTING EVALUATION REVIEWS FOR TENURE AND PROMOTION**

#### General Guidelines for Reviews at All Levels

1. All reviews shall be conducted in an ethical manner, with recommendations and justifications based upon relevant, documented, and verifiable information.
2. A record of meetings of the committee shall be maintained in the appropriate administrator's office and will include names of attending members and a record of the vote count.
3. All committee recommendations shall be based on secret ballot and majority vote. A tie vote is considered a negative vote on the recommendation.
4. Administrative reviewers should ensure that promotion and tenure recommendations are consistent with the goals and needs of the areas within their scope of responsibility.
5. The Department Chair and the College Dean, in conjunction with the chairs of the respective promotion and tenure committees, shall ensure that the membership of promotion and tenure committees do not pose a conflict of interest in evaluating and voting upon applicants. If such a conflict exists, the administrator shall arrange for an elected alternate.
6. Administrators (e.g., Department Chairs, academic College Deans, Associate Deans, the Provost, etc.) shall NOT serve as members on promotion and tenure committees at any level or on the Faculty Evaluation Appeals Committee. Furthermore, these individuals shall not sit in during committee deliberations unless stipulated by Department or College policy.
7. Applications for tenure shall be reviewed prior to considering and voting on applications for promotion to Associate Professor or Professor. In reviewing applications for Assistant Professor and tenure, vote on promotion before voting on tenure

### Consideration of Library Faculty

1. The Library faculty shall comprise their own academic unit and shall follow the procedures outlined in this policy accordingly.
2. The Library faculty ranks of Instructor Librarian, Assistant University Librarian, Associate University Librarian, and University Librarian are analogous to those of Instructor, Assistant Professor, Associate Professor, and Professor, respectively.
3. For service on committees that require tenure, Library faculty shall only be required to meet the equivalent rank.

### Consideration of Faculty Holding Administrative Positions

1. All the procedures outlined in this policy apply equally to administrators holding faculty rank insofar as their academic faculty position or rank is concerned.
2. Certain additional observations need to be made when procedures are applied to administrative faculty. These include the following:
  - a. Administrators shall be judged by the same criteria as any other faculty. Teaching, scholarship, and service standards shall meet the approval of the various committees and administrators.
  - b. The consideration for academic rank or tenure of a faculty member serving in an administrative post shall be made by the Department and the College in which the administrator holds academic rank. If the administrator is normally a part of the process (as a Department Chair or Dean would be) that administrator's recommendation is omitted and the committee's recommendation is forwarded to the next level.

### Department Review

#### *Candidate*

1. The eligible candidate for tenure and/or promotion shall complete an application. The application shall include a narrative analysis by the candidate in support of the application for tenure and/or promotion. In all cases, the candidate should provide accurate and complete details of any potentially useful information. The candidate shall assemble the application as follows:
  - a. A copy of the letter of intent to apply for tenure, promotion, or both
  - b. A copy of initial terms of appointment and, if applicable, any written, previously agreed-upon exceptions to the promotion and tenure policy
  - c. A copy of a current curriculum vita
  - d. Copies of non-tenure annual evaluation reports by evaluators
  - e. The self-evaluation on the appropriate University form
  - f. Supporting documentation
2. Documentation in support of the application may include, but is not limited to, the following (refer to Department and College policies for specific requirements):
  - Teaching
    - teaching philosophy
    - course syllabi
    - assignments
    - descriptions of unique methods or experiments
    - student evaluations

- peer observation/evaluation reports
    - published textbooks
    - new courses developed
    - teaching awards/recognitions
    - alumni survey results
  - Scholarly/Creative Activity
    - published works
    - papers or other presentations (including evaluations)
    - documentation of creative performances or exhibitions
    - grants/contracts awarded
    - awards/recognitions
  - Service
    - letters from committee chairs
    - minutes of committee meetings
    - evidence of service on an editorial board
    - awards/recognitions
    - evidence of effective advising
3. The candidate shall submit an application and supporting materials for tenure and/or promotion to the Department Chair, who has the responsibility to get the application and all materials to the Department committee in accordance with Department deadlines. In the process of being reviewed for tenure and/or promotion, candidates must allow their professional materials to be open to their peers on the various promotion and tenure committees.

*Department Promotion and Tenure Committee*

1. The Department committee shall review eligible applications and all supporting materials as required by the Department. The Department committee may request additional materials to clarify submitted material as necessary. For promotion, the committee may concentrate on activities since the last promotion, but candidates may provide clearly dated prior activities to demonstrate a record of continued achievement.
2. The Department committee shall consider the candidate's application and the following:
  - a. formal student evaluations;
  - b. the Department's second systematic method of assessing teaching performance (This method shall include a consideration of the perspectives of students, colleagues, and supervisors and shall be clearly defined and communicated in Department policy);
  - c. data provided by the Department Chair.
3. The Department may also consider as part of the application the following:
  - a. mandated external review;
  - b. peer opinions (not limited to committee members) but not anonymous opinions.
4. The Department committee shall make a written recommendation, stating reasons for or against tenure and/or promotion. The voting members of the committee shall

complete the appropriate recommendation form(s) for tenure, promotion, or both. Members of the committee shall sign the form(s), indicating the report's accuracy as it was approved by the majority of the committee. The application, the written recommendation, and the signed form(s) shall be submitted to the Department Chair.

#### *Department Chair*

1. The Department Chair shall review the application and Department committee recommendations. The Chair may consult with the Department committee and the candidate prior to making a recommendation. The Chair shall write a separate recommendation regarding tenure and/or promotion.
2. The candidate shall be notified in writing by the Department Chair of the recommendations of the Department committee and of the Department Chair, with justification for these decisions.
3. The Department Chair and the chair of the Department committee shall meet with the candidate and review the recommendation of the Department Chair and the recommendation of the Department committee, provide the candidate with a copy of the report (and all addenda), and secure the candidate's signed receipt.
4. The candidate may request reconsideration of the Department committee's recommendation, the Department Chair's recommendation, or both within ten (10) calendar days\* of notification\* (\*see definitions).
5. The Department committee, the Department Chair, or both shall reconsider the candidate's application in light of the request for reconsideration. The request for reconsideration should address concerns raised by the Department committee and/or the Department Chair and may include additional information in support of that clarification.
6. The candidate shall be notified in writing by the Department Chair of the results of reconsideration by the Department Chair, the Department committee, or both.
7. The recommendation and the application materials (per College policy) shall then be forwarded to the Dean of the College. The Dean shall make the recommendation and application materials available to the College promotion and tenure committee.

#### College Review

##### *College Promotion and Tenure Committee*

1. The College promotion and tenure committee shall review applications. The committee ensures that College-level criteria are met and that the appropriate review of the candidate's qualifications has been made and the Department criteria have been fairly applied.
2. The College promotion and tenure committee may consult with the Department Chair, the chair and/or member(s) of the Department committee, and/or the candidate prior to making a recommendation.
3. The voting members of the committee shall complete the appropriate recommendation form(s) for tenure, promotion, or both. If the committee does not concur with the recommendations of the Department committee, the Department

Chair, or both, the College committee shall state in writing the reasons for the differing recommendations. Members of the committee shall sign the form(s), indicating the report's accuracy as it was approved by the majority of the committee. The application, the written recommendation, and the signed form(s) shall be submitted to the College Dean.

#### *College Dean*

1. The Dean shall review the application and recommendations. The Dean may consult with previous decision makers and/or the candidate prior to making a recommendation. The Dean shall provide a separate recommendation regarding tenure and/or promotion. If the Dean does not concur with the recommendations of the Department committee, the Department Chair, the College committee, or all three, the Dean shall state in writing the reasons for the differing recommendations.
2. The Dean shall notify the candidate in writing of the recommendations of the College committee and of the Dean, with justification for these decisions. Promotion applications receiving a negative recommendation by the Dean shall not be reviewed further unless the candidate submits a brief letter to the Dean, with a copy to the Department Chair, within 5 calendar days of notification by the Dean requesting that the review process continue. This is not an appeal.
3. The recommendation and the application materials (per University guidelines) shall then be forwarded to the Provost.

#### University Review

1. The Provost shall review applications. The Provost shall ensure that University-level criteria are met and shall determine that the appropriate procedures have been followed at all levels.
2. The Provost may consult with previous decision makers and/or the candidate prior to making a recommendation. The Provost shall provide a separate recommendation regarding tenure and/or promotion. If the Provost does not concur with the recommendations of the Department committee, the Department Chair, the College committee, the Dean, or all four, the Provost shall state in writing the reasons for the differing recommendations.
3. The Provost shall notify the candidate in writing of his/her recommendation, with justification for the recommendation.
4. No later than March 15, the Provost shall submit all recommendations to the President of the University.

#### Appeals Process

1. Following notification of the Provost's negative recommendation, the candidate may appeal to the President, who shall convene the Faculty Evaluation Appeals Committee (FEAC). Acceptable grounds for requesting such an appeal are:
  - a. decision is arbitrary, capricious, or not supported by factual data
  - b. violation of procedural due process
  - c. violation of academic freedom

2. The candidate will submit a written request for appeal to the President of the University within ten (10) calendar days of notification of the Provost's recommendation, with a copy to the Provost and to the Dean of the College. The request shall state the grounds for an appeal and shall provide evidence in support of such grounds.
3. The President shall convene the FEAC to review the appeal.
4. The FEAC shall evaluate the body of evidence as it relates to the grounds for appeal. The FEAC may meet with decision makers, meet with the candidate, or consult with others as necessary in order to evaluate the grounds for appeal. The FEAC shall report its findings and recommendations to the President—with a copy to the candidate, the Department Chair, the Dean, and the Provost— within fourteen (14) calendar days of receipt of the case, except in extenuating circumstances.
5. The President shall make a decision on the appeal within fourteen (14) calendar days of receiving the findings of the FEAC, except in extenuating circumstances. Possible actions by the President could include, but are not limited to:
  - a. Upholding the recommendation of the lower level(s)
  - b. Reversing the recommendation of the lower level(s)
  - c. Reconvening the FEAC to meet with appropriate decision makers and report additional findings. The FEAC should meet with the candidate prior to reporting additional findings to the President.
6. The President shall notify the candidate in writing of the appeal decision. All appeal decisions are final.

#### The President and the Board of Regents

1. The President shall evaluate recommendations, including those reviewed by the FEAC, on their merits and shall provide a final recommendation to the Board of Regents.
2. Official notification of a candidate that tenure will not be awarded shall be given at least one year prior to the candidate's termination of employment at the University.
3. The Board of Regents shall have final approval authority for tenure and promotion recommendations.
4. The President shall formally notify candidates in writing of the decision of the Board of Regents.

#### **POLICY AND CRITERIA REVIEW**

1. All tenure and promotion policies shall be reviewed at least every five years.
2. Department and College criteria shall be submitted for regular (five year) systematic review and approval. Department criteria shall be reviewed and approved by the Dean and submitted to the Provost for approval. College criteria shall be reviewed and approved by the Provost.

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| <b>Definitions</b> |
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- **Calendar Day:** Throughout this document calendar day shall be interpreted to mean no later than the specified number of calendar days following the day of

notification. If the final calendar day occurs on a weekend or holiday, the due date shall be on the first day on which University administrative offices are open. The time for response may be extended upon agreement by both parties.

- **Collegiality:** The ability of an individual to interact with colleagues with civility and professional respect; to engage in shared academic and administrative tasks necessary to meet Department, College, and University goals; and to work productively with faculty, students, and staff. Collegiality should not be confused with sociability or likability but rather is the professional criterion relating to teaching, scholarly/creative activities, and service.
- **Confidentiality:** The principle of limiting access to information or documents only to those persons authorized to have such access. Documents and communications in the tenure and promotion process shall be kept confidential to the extent permitted by law.
- **Full-time Tenure-Track Faculty:** Faculty employed full-time who are tenured, eligible for tenure, or in a pre-tenure probationary period.
- **Terminal Appointment:** Appointment of a faculty member to a limited term that will end in termination of employment.
- **Terminal Degree:** The terminal degree is the highest academic degree awarded in a field. Generally, the terminal degree will be the doctorate; however, sometimes an advanced professional degree or a master's degree will be the terminal degree in a particular field (e.g. MFA in Creative Writing, MLS in Library Science, etc.).

## Responsibilities

- Board of Regents
  - The Board of Regents shall have the final approval authority for tenure and promotion of faculty.
- Candidate for Tenure and/or Promotion
  - The candidate for tenure and/or promotion is responsible for knowing and adhering to the principles and criteria set forth in this policy
  - The candidate is responsible for submitting an application for tenure by the established deadline of the final year of the probationary period. Failure to do so will result in a terminal appointment.
- College Dean
  - At a minimum, the Dean is responsible for
    - providing the College promotion and tenure committee with such documentation and data as policy and committee needs require.
    - informing the Department Chairs of the need to review each person eligible for tenure.



- ensuring that each Department reviews and revises, as needed, Department-level criteria for tenure and promotion at least every five years.
- College Promotion and Tenure Committee
  - Each College promotion and tenure committee is responsible for ensuring that the appropriate professional interpretation for the discipline has been applied.
- Department Chair
 

At a minimum, the Chair is responsible for

  - verifying eligibility of candidates for tenure and/or promotion.
  - providing the Department committee with such documentation and data as policy and committee needs require.
  - informing the Department promotion and tenure committee of the need to review each person eligible for tenure.
  - informing the faculty of policies, procedures, and criteria for tenure and promotion.
- Department Promotion and Tenure Committee
  - Each Department committee shall be responsible for providing the appropriate professional interpretations for the discipline.
- Faculty Evaluation Appeals Committee
 

The Faculty Evaluation Appeals Committee is responsible for

  - ensuring appeals are reviewed only on the grounds stated in this policy.
  - reviewing the appeal and the evidence submitted by the candidate.
  - submitting findings and recommendations to the President.
- Provost
 

At a minimum, the Provost is responsible for

  - ultimately ensuring that criteria applied in the review of applications is consistent with the terms of agreement established in writing at the candidate's initial appointment in a tenure-track position.
  - ensuring that Deans and Chairs supervise the establishment of written criteria for tenure and promotion that these criteria are consistent with University policy.
  - ensuring that the College-level criteria are reviewed at least every five years.

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|--------------------|
| <b>Limitations</b> |
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The following are not included under Policy 4.6.4:

- (1) Disputes which are being or have been processed in the courts.
- (2) Disputes involving compliance with State or Federal statutes or regulations.

- (3) Affirmative action and non-discrimination issues, which are delineated in other policies, should be referred to the Equal Opportunity Office.
- (4) Disputes which involve appeal(s) included in the other policies (e.g., appeals about grievances, etc.).
- (5) Disputes involving merit pay or salary increments.

## Statutory or Regulatory References

KRS 164.360

KRS 164.365

## Policy Adoption Review and Approval

### Tenure and Promotion

#### Revised Policy

| <u>DATE</u>        | <u>ENTITY</u>                    | <u>ACTION</u>   |
|--------------------|----------------------------------|---|
| June 18, 2019      | Board of Regents                 | Approved Removal of Shared Faculty Appointment language |
| September 28, 2012 | Board of Regents                 | Adopted   |
| August 15, 2012    | President                        | Approved  |
| August 15, 2012    | Faculty-at-Large                 | Approved  |
| May 2, 2012        | Provost Council                  | Approved  |
| April 2, 2012      | Faculty Senate                   | Approved  |
| February 10, 2012  | Chairs Association               | Approved  |
| April 7, 2008      | Special Assistant to the Provost | Editorial Revision                                      |
| January 18, 2008   | Board of Regents                 | Adopted   |
| November 7, 2007   | Provost Council                  | Approved  |
| October 2, 2006    | Faculty Senate                   | Approved  |
| September 5, 2003  | Faculty Senate                   | Approved  |
| April 26, 1986     | Board of Regents                 | Adopted   |
| December 2 1985    | Faculty Senate                   | Approved  |

### Tenure

#### Revised Policy

| <u>DATE</u>    | <u>ENTITY</u>    | <u>ACTION</u> |
|----------------|------------------|---------------|
| April 22, 1978 | Board of Regents | Adopted       |
| April 17, 1978 | Faculty Senate   | Approved      |
| April 2, 1971  | Board of Regents | Adopted       |
| March 29, 1971 | Faculty Senate   | Approved      |

**DATE**

June 5, 1970  
May 5, 1969  
March 24, 1965  
March 1, 1965  
May 5, 1961

**ENTITY**

Board of Regents  
Faculty Senate  
Board of Regents  
Faculty Senate  
Board of Regents

**ACTION**

Adopted  
Approved  
Adopted  
Approved  
Repealed Existing Policy  
Adopted New Policy

**Policy Issued**

**DATE**

January 15, 1949

**ENTITY**

Board of Regents

**ACTION**

Adopted