Faculty Senate Agenda
April 2, 2012
3:30 p.m.

Call to order

Approval of Minutes
March 12, 2012

President's Report: Senator Whitlock

Unfinished Business:
- Promotion and Tenure Policy

New Business:
- Faculty Senate Chair Nominations
- Faculty Senate Vice Chair Nominations
- Forum for Adjunct Instructor Reform (FAIR) – Micah Farley
- Report from Council on Academic Affairs
  (CAA agenda is included in the Senate packet.)
  (See separate PDF file for the curriculum forms - 137 pages)

Report Overview & Questions:
Executive Committee Report: Senator Noblitt
Faculty Regent: Senator Frisbie
COSFL Representative: Senator Summers
Provost: Senator Vice
Student Government Association: Rachel Mollozzi
Financial Planning/Strategic Planning Council: Senator Noblitt

Standing Committees:
Academic Quality Committee: Senators Shordike/Schmelzer, Co-Chairs
Budget Committee: Senator Johnson, Chair
Committee on Committees: Senator Roush, Chair
Elections Committee: Senator Day, Chair
New Senators Orientation Committee: Senator Pressley, Chair
Rights & Responsibilities Committee: Senator Palmer, Chair
Rules Committee: Senator Hensley, Chair
Welfare Committee: Senator Johnson, Chair

Ad Hoc Committees:
Committee on Computing: Senator Smith

Adjournment
The Faculty Senate of Eastern Kentucky University met on Monday, March 12, 2012, in the South Ballroom in the Keen Johnson Building. Senator Noblitt called the sixth meeting of the academic year to order at approximately 3:30 p.m.

The following members were absent:

*indicates prior notification of absence
^ALT John Taylor attended for K. Keltner-Previs
^ALT Erik Liddell attended for S. Zaragoza

Visitors to the Senate: Nancy McKenney, AAUP; Sherry Robinson, Provost Office; Elizabeth Wachtel, Enrollment Management, Marketing & University Relations

APPROVAL OF MINUTES:
The February 6, 2012 minutes were approved as written.

REPORT FROM THE PRESIDENT: Senator Whitlock
Senator Whitlock shared the following in his written report to the Senate.

There were a number of significant developments in Frankfort during spring break. The House passed the 2012-2014 budget in a form very similar to that proposed by the governor. The 6.4 percent reduction in state appropriations for all of higher education was part of the House’s approved budget which is now under consideration in the senate. The only capital project for EKU in the House version is the refinancing of the energy management project to obtain a lower interest rate.

The effort – for this biennium, at least – to make a ninth public university of the University of Pikeville has been pulled in favor of an alternative approach to improving educational attainment in the coal counties. The House Education Committee Substitute to HB 260, would create a scholarship program for junior and senior level study to students from 16 coal producing counties. The action by the House Committee would provide the bulk of this support to students attending private institutions in the region or to students at Morehead State University and Eastern Kentucky University’s regional campuses. Under discussion are conditions under which students could attend the main campuses of the senior public institutions.

In testimony to the House Education Committee Senator Whitlock advocated the following:

1. These grants should be portable and allow students from these counties to attend any institution in the state, public or private. If they are restricted to institutions in a certain geographic area, student choice of degree options will be limited.
2. They should be in the form of forgivable loans, with perhaps 20 percent of the loan forgiven for each year the recipient lives in the appropriate counties following receipt of the baccalaureate degree.
3. There should be an economic development initiative built around small business development, entrepreneurial development, and business incubators. This should be done simultaneously with implementation of the grant program and should include provisions for venture capital.
This approach would allow students to access a much broader array of career-oriented programs than would otherwise be available. The loan forgiveness aspect would encourage individuals to stay or return to these counties, and the economic development initiative would be the most effective way to grow jobs attractive to college graduates.

To this point, there has been no serious discussion at the state level of what tuition increases might be considered for the coming year. The simple fact of the matter is that the 2012-13 budget cuts cannot be made up through increased tuition.

Every possibility is being examined as next year’s budget is developed. The combined strategic and financial planning councils are meeting regularly and will have options to share with President Whitlock soon.

UNFINISHED BUSINESS:

Faculty Authored Texts Policy. The motion, as moved and seconded at last month’s meeting, carried.

NEW BUSINESS:

Posthumous Degree. Senator Wray, seconded by Senator Jackson, moved to approve awarding a posthumous degree for Tiare Obenauer. Motion carried.

Developmental Math Summary. Senator Noblitt announced that developmental 090, 095, and 098 math courses will be changing structure beginning in Fall 2012. Questions or comments on the new program should be directed to Senator Pat Coen or the Mathematics Department Chair, Daniel Mundfrom.

Promotion and Tenure Policy. Senator Thieme moved, seconded by Senator Hensley, to approve the proposed promotion and tenure policy. Senator Noblitt opened the floor for discussion only and announced that the policy would not be voted on until the April or May Senate meeting.

In the early stages of the P&T revision process, AAUP was invited to review the document and provide feedback. All of their concerns have been fully addressed in the latest draft which was included in the Senate packets.

In the ensuing discussion, the main concern raised by the Senators was whether or not to include “collegiality” in the policy. Prior to the meeting, Dr. Doris Pierce shared with the senators her arguments against including “collegiality” in the policy. Former Senator Nancy McKenney shared a copy of AAUP’s current definition of collegiality. AAUP’s basic point is that if “collegiality” is mentioned, it should be included in the P&T policy within the accepted criteria (teaching, scholarship, and service) but should not be listed as a separate criterion. Dr. Sherry Robinson mentioned that in tenure-related court cases, the courts have ruled in favor of institutions saying that collegiality is an implicit part of an employment agreement and therefore it is acceptable for universities to use it, even if it is not mentioned explicitly in faculty handbooks and/or policies. While “collegiality” is implied in the current P&T policy, the drafting team felt it might help reduce lawsuits if it was clearly stated in the revised policy.
In answer to Senator Summers question on the P&T drafting team membership, Dr. Robinson stated that of the 14-member team, nine members are faculty and five members are administrators (the Senate Chair is an administrator).

Senator Noblitt reminded everyone that the P&T policy is posted on the policies website for a 30-day comment period. Faculty with questions or concerns can post their comments online or address them directly to Dr. Sherry Robinson or Senator Jerry Palmer. Please encourage faculty to carefully review the policy, and the Senate will continue discussion at the April meeting.

Dr. Robinson stated that at the end of the 30-day commenting period, she will compile the comments and share those with the Senate prior to the vote on the policy.

Report from Council on Academic Affairs - Senator Pogatshnik for Senator Vice

Program Revisions – Lowering Hours Required

1. Biology Teaching B.S.  
   Incorporate new courses, update degree requirements to reflect changes in course numbers; reduce degree requirements to 125-129 hours.

2. Environmental Studies B.S.  
   Incorporate new courses, update degree requirements to reflect changes in course numbers; reduce degree requirements to 120-122 hours.

Program Revisions

3. MAEd in Communication Disorders  
   Add CDS 897; revise admission requirements; revise program requirements; Clarify exit requirements.

4. Admission to Teacher Education  
   Update admission to Education Preparation to comply with 16 KAR 5:020.

5. Field Placement: Student Teaching and Field Experiences, Teacher Education Services  
   Update admission, placement, and supervision in student teaching to comply with 16 KAR 5:040.

6. Policy and Procedure Section, Teacher Education Services  
   Add EPSB mandate: “Undergraduate students shall not enroll in any educator preparation program courses restricted to admitted candidates.”

7. Minor and Certificate in Women and Gender Studies  
   Add WGS 201W to the minor and certificate programs.

8. Professional Track B.A. General Studies  
   Change the program description, as shown in Part III, to de-emphasize the collaborative aspect of the program with Morehead State University. While students still have the option of taking available crosslisted courses at MSU per the existing Memorandum of Agreement, taking such courses at MSU (as opposed to EKU) is not essential to the completion of the Professional Track concentration.

9. Bachelor of Science in Nursing Pre-RN  
   Add the new General Education elements.

10. Bachelor of Science in Nursing Post-RN  
    Add the new General Education elements.

11. Bachelor of Science in Nursing 2nd  
    Add the new General Education elements.

12. Early Childhood Development A.A.S.  
    Add CDF 147, 310, 399; drop CDF 343, 344, 450.

13. Child and Family Studies B.S. Area Major  
    Add new courses; revise core requirements; institute additional admission requirement in the Child Development and Interdisciplinary Early Childhood Education options
14. B.S. in Agriculture  
   *Revise courses within the program.*

15. B.S. in Agriculture with General Pre-Veterinary Option  
   *Revise courses within the program.*

16. B.S. in Agriculture with General Pre-Veterinary Transfer Option  
   *Revise courses within the program.*

17. B.S. in Horticulture  
   *Revise courses within the program; add new option in Fruit and Vegetable Production;  
   Delete the Business Minor Option.*

18. Communication Studies B.A  
   *Add a 1 to 3 credit-hour course as an elective to the major.*

19. Minor in Social Welfare  
   *Change the Social Welfare Minor program requirements.*

20. Minor in Chemistry  
   *Modify the minor to reflect recent changes in the department curriculum and list Information for the teaching certification.*

Senator Pogatshnik moved approval of items 1-20, seconded by Senator Pianalto. Motion carried.

**STANDING COMMITTEE REPORTS**

**REPORT FROM SENATE CHAIR:** Senator Noblitt  
This month Faculty Senate has been actively involved in continued drafting of the Promotion and Tenure Policy. The Rights and Responsibilities Committee hosted two public forums as well as a forum open to all department chairs. During these forums, there were several comments regarding issues of collegiality, the role of administrators in committee meetings, and alteration of the probationary period. The drafting team carefully considered all comments and met on February 29 to incorporate these comments into the draft. The latest draft of the policy will be available for further online public comments on the policies website during March.

This policy must be voted upon by the faculty-at-large. Such votes are traditionally held at fall convocation. To make such a vote possible, Senate will need to debate and vote on the policy by the May meeting.

The Implementation Team has created a set of workgroups that are reviewing issues related to student recruitment and retention. The goal of these workgroups is ultimately to assist the university in reaching CPE goals for credential production. The team is also mindful of the effect such recruitment and retention efforts will have on the university budget through increasing tuition revenue and performance-based funding in future state appropriations.

Work on the Implementation Team clearly shows how pivotal the faculty are to both student recruitment and retention. Studies demonstrate that while both traditional and non-traditional college students consider a number of factors when deciding upon a college, academics is the most important factor. Prospective students and their parents must see that faculty members are engaged and available to help students succeed.

Once students arrive on campus, the faculty plays a crucial role in making sure that students successfully graduate. The Implementation Team is carefully studying actions that other
universities have taken to improve student graduation rates dramatically and is considering how these could be adapted at EKU. There were also several excellent proposals being reviewed that resulted from the Provost’s recent call for suggestions.

Many of these efforts will mean that faculty must work closely with student services and the greater campus community to identify students who require assistance and support services that the faculty member cannot provide. In the coming months, the Implementation Team hopes to establish effective communication between Academic Affairs and Student Affairs to provide students with the support they need when faculty-student engagement is simply not enough.

REPORT FROM FACULTY REGENT: Senator Frisbie
The next Board meeting will be on April 26.

REPORT FROM COSFL: Senator Summers
COSFL met on Wednesday, February at the Council on Postsecondary Education in Frankfort. Dr. Robert King, president of KY CPE, and Dr. Aaron Thompson, senior vice president for academic affairs at KY CPE, were guest speakers at the meeting.

The following issues were addressed:

1. Why CPE requested a huge budget to the Legislature for new buildings and repairs when the budget is bare bones?
   a. To create a bucket of money as a base to support and create student success, and to significantly elevate the capacity of new teachers in the public schools
   b. To create a bucket of money as part of the $25 million for performance funding
   c. To create a $40 million bucket of money for new buildings, or for ones that are on-line for construction or repairs, and O & M funding.
   d. To create a mechanism for funding for UK and UL for flat research dollars—not “Bucks for Brains”

2. Capital Requests (ratio of funding for new buildings versus ratio of funding for deferred maintenance of existing buildings)

3. What will CPE allow in terms of tuition increases, as state funding has dropped and cuts have gone up?
   Suggestions for what campuses might do to improve the situation included:
   a. Considering a fixed tuition for four years if students agree to earn 30 credit hours per year
   b. Removing textbook costs via online content.
   c. Moving to a per credit hour tuition model such as Morehead.

4. Creation of a State-Supported University in Pikeville
   a. What impact would this have on other state universities in Kentucky once the coal severance money is no longer available? An outside agency is examining this issue and plans to offer alternative suggestions.

Dr. Thompson stated that the number one variable regarding retention and the number one reason why students choose a campus is FACULTY. Interaction of faculty in and outside of class is the number one predictor and variable regarding students’ retention and success.

The Student Success Summit is scheduled for April 2-3 at the Louisville Marriot.

Ms. Heidi Hiemstra, Assistant Vice President, Information & Research, distributed copies of the Stronger by Degrees Strategic agenda for 2011-2015 (available on-line at: http://cpe.ky.gov/planning/).

The next COSFL meeting will be the joint meeting with the Kentucky AAUP on Friday, April 13 from 1-4pm in Frankfort, Kentucky. All interested faculty are invited to come. Guest speakers
will include the President of the Tennessee AAUP Conference and former EKU Senate Chair John Taylor.

**REPORT FROM PROVOST:** Senator Vice
Senator Vice shared the following in her written report to the Senate.

When the hiring freeze was announced, each dean was asked to identify vacant and critical positions. As that would take a few days and there were a number of open searches, the President approved the following steps:

a) Identify the stage for each search currently underway.
b) No offers are to be made until priorities are established and approvals are given.
c) However, continue the search process if a short list of candidates has been identified and interviews are scheduled. Honor the scheduled interviews.
d) If a position has been posted and applications have been received, be prepared to notify the candidates that the position has been placed on hold for now--unless the position was determined to be essential.

On March 21, the deans reviewed the status of all vacant positions and prioritized which ones to send to the President for approval. The deans considered the following criteria:

a) Program productivity and change over time.
b) Accreditation constraints/requirements.
c) Potential for growing enrollment and increasing revenue.

With the President’s approval, $1.9 million, plus benefits, was moved forward to fill vacant positions. Hopefully after spring break a second round of approvals may begin using the same process.

Realistically, Academic Affairs will experience additional cuts. Therefore all programs and initiatives must be carefully reviewed to determine which ones are critical to EKU’s mission.

A number of proactive initiatives are underway to help offset the budget cuts—including increasing Fall 2012 enrollments, retaining a higher percentage of current students, offering a robust summer school, and increasing the number of online and transfer students.

With the goal to increase transfer students, representatives from EKU and Somerset Community College met in London on February 24. The result of that meeting included agreements for six 2+2 degree programs with SCC.

As Dr. Vice will be out of town this week, the Wednesday luncheon with the Provost is canceled.

**STRATEGIC PLANNING/FINANCIAL PLANNING COUNCIL:** Senator Noblitt
The Council met on February 14 and will meet again in a couple weeks.

**STANDING COMMITTEES**

**Budget Committee.** Senator Wray reported that the committee met before spring break to review the CPE budget information for the state and the universities. The committee has requested additional budget information from the Provost’s office and from the SPC/FPC.
Committee on Committees. Senator Roush announced that the committee has revised the self-nomination survey form. The updated survey has been distributed to faculty and the deadline for responses is by the end of March.

Elections Committee. Senator Day reported that the committee is in the process of reviewing the procedures for next year’s Regent election.

Rules Committee. Senator Hensley reported that the committee is considering a proposal to create a new Information Technology Standing Committee.

ADJOURNMENT
The meeting adjourned at approximately 4:55pm.
Promotion and Tenure

Policy 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 — 940 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 by the Policy

- Faculty
- Departments
- Colleges
- University-level administrators

Policy Principles

1. Departmental committees, consisting of elected tenured faculty members, and the Department Chair shall have the primary responsibility for evaluating candidates in their department for promotion and tenure. Throughout the promotion and tenure process, departmental evaluations shall be given weight that reflects this primary responsibility.

2. Policies for promotion and tenure 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 departmental 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 individual application 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 individual application dossier.

7. The justification for or against promotion and/or tenure 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 promotion and tenure policy (Policy 4.6.4P) shall be developed and approved by tenure-track faculty composing these units. Such procedures shall be made available to the faculty in these units.

9. An appeal process shall be included in the promotion and tenure policy (Policy 4.6.4P).

10. At each level, the candidate shall be notified in writing of the results of the deliberations, including the reasons for the recommendations.

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

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### 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 Eastern 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.

A faculty member may request an adjustment to the probationary period by requesting 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 promotion or tenure 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 promotion and tenure within the areas of teaching, scholarly/creative activity, and service.
4. Consistent with university and college criteria, each department shall identify specific criteria for promotion and tenure 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 EKU’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 Determining Qualifications for Faculty Teaching Credit-Bearing Courses (4.6.1P).
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 continuing 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 Determining Qualifications for Faculty Teaching Credit-Bearing Courses (4.6.1P).
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 Determining Qualifications for Faculty Teaching Credit-Bearing Courses (4.6.1P).
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 Determining Qualifications for Faculty Teaching Credit Bearing Courses (4.6.1P).

1.2 **Time in previous rank:** minimum of five years of full-time service in rank at EKU 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.

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**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 promotion and tenure 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 promotion and tenure 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 promotion and tenure 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 promotion and tenure 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 promotion and tenure 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 dean of the college. 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 promotion or tenure, 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 promotion and tenure shall be composed as determined by the full-time tenure-track faculty of the college, within the following guidelines:

a) Membership in 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 promotion or tenure, 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. 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) 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 academic 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 April 1 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.

Faculty in Shared Appointments
1. Each faculty member in a shared appointment, who is on a tenure-track appointment, shall be
considered for tenure and/or promotion independently of the other faculty member with whom they are sharing the position.

2. Each faculty member in a tenure-track shared position shall be eligible for tenure after completing the standard probationary period required by EKU plus an additional two (2) years. Exceptions to this may be negotiated and documented in writing at the time of appointment.

3. The years of service requirement for a faculty member in a shared appointment who is seeking promotion to any of the ranks shall be the same as for a faculty member whose appointment is not shared, plus an additional two (2) years. Exceptions to this may be negotiated and documented in writing at the time of appointment.

4. Evaluations of teaching, scholarship, and service shall be conducted on a basis consistent with the percentage of each faculty member’s respective appointment, if part of a shared appointment.

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):
   o Teaching
     • teaching philosophy
     • course syllabi
     • assignments
     • descriptions of unique methods or experiments
     • peer observation/evaluation reports
     • published textbooks
     • new courses developed
     • teaching awards/recognitions
4.6.4P
Volume 4, Academic Affairs
Chapter 6, Faculty Appointments and Evaluation
Section 4, Promotion and Tenure

- 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 promotion, tenure, 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 the promotion and/or tenure.

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
promotion, tenure, 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 the promotion and/or tenure. 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 letter to
the Dean, with a copy to the Department Chair, requesting that the review process continue.
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 the promotion
and/or tenure. 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 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 promotion and tenure 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. The 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.

Definitions

**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 departmental, 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 promotion and tenure 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.).

University

Eastern Kentucky University

Responsibilities

Board of Regents

- The Board of Regents shall have the final approval authority for tenure and promotion.

Candidate for Tenure/Promotion

- The candidate for tenure/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 promotion and tenure 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 and Vice President for Academic Affairs

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 or thereafter.
- ensuring that deans and chairs supervise the establishment of written criteria for promotion and tenure that these criteria are consistent with University policy.
- ensuring that the college-level criteria are reviewed at least every five years.

Limitations

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.

Interpreting Authority

- Provost and Vice President for Academic Affairs

Statutory or Regulatory References

KRS 164.360
KRS 164.365

Relevant Links

www.forms.eku.edu (Promotion and Tenure Application)

Policy 4.6.1 Determining Qualifications for Faculty Teaching Credit-Bearing Courses

Policy Adoption Review and Approval

Promotion and Tenure

Revised Policy
Editorial Revision: April 7, 2008

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Tenure

Revised Policy

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Summary of Substantive Changes for 4.6.4P

- **Restructuring of Reconsideration and Appeals Procedure**
  - Reconsideration only at the department level
  - Appeal only after Provost decision
    - Grounds for appeal articulated in policy
    - Appeals heard by a committee charged with this responsibility and findings reported to the President

Under the current policy, candidates for tenure or promotion may request a reconsideration and file an appeal at every level (department, college, and university). This process can be very lengthy and emotionally draining for the candidate. The current appeals process involves appealing to persons already in the decision-making process and provides no guidance for grounds for appeal.

The proposed revision keeps reconsiderations at the department level, which allows candidates to submit additional materials to clarify their applications and honors the principle that departments shall have the primary responsibility for evaluating candidates. By moving an appeal toward the end of the process, a candidate will have a greater sense of the final recommendation; in other words, it will no longer be necessary to appeal a recommendation that may have a different outcome at the next level or to appeal in order to move an application forward. Having specified grounds for appeal (which are still somewhat broad) will give the candidate and the appeals committee guidance for handling an appeal. Finally, an appeals committee will enable a true appeal to persons outside the normal decision-making process.

*Location in Comparison Chart (Blocks): 9, 93, 97, 153-155, 163, 173-177, 200*

- **Collegiality**
  - A statement has been added that collegiality will be considered as part of the evaluation of teaching, service, and scholarly/creative activity.
  - Collegiality is defined in the policy

Consideration of collegiality as part of reappointment, tenure, and promotion decisions raises concerns. The AAUP, while not entirely supportive of consideration of collegiality in such decisions, argues strongly against the use of collegiality as a separate criterion (i.e., in addition to teaching, scholarship, and service). Instead, they urge that collegiality be clearly defined, the virtues of which are woven into the criteria for the three traditional areas for evaluation. In following the AAUP guiding principle, the proposed EKU policy specifically refers to the consideration of collegiality when evaluating teaching, service, and scholarship. Further, the proposed EKU policy defines collegiality so that both candidates and evaluators have a clearer understanding of what can appropriately be considered.

Further, in cases where collegiality has been a factor in the termination of faculty appointments, courts have consistently ruled in favor of institutions even when collegiality was not specifically stated in reappointment, promotion, or tenure policies. Therefore, if collegiality can be used and is used in the evaluation of faculty, faculty benefit from having this clearly defined and explicit in the policy for two reasons. First, when faculty are aware that evaluators will be considering collegiality, they can address this as they would any other criterion. Second, if collegiality is defined in the policy, then both faculty and evaluators will have a clearer understanding of how it is to be properly applied.

*Location in Comparison Chart (Blocks): 49, 186*

- **The Elimination of the University Promotion and Tenure Committee**
  
  In the faculty survey conducted in April 2001, 64% of respondents indicated moderate to very strong support of eliminating the university-level committee. Though the committee was not eliminated in the 2008 revision of the P&T policy, its function was reduced to reviewing just negative recommendations as well as appeals from the college level. The policy revision under consideration now eliminates a university-level committee prior to the Provost recommendation. Additionally, it shifts the appellate function to the newly created Faculty Evaluation Appeals Committee.

*Location in Comparison Chart (Blocks): 90, 93, 202-203*

- **Agreed Upon Exceptions to the Promotion and Tenure Policy**

  The proposed revision encourages exceptions to the promotion and tenure policy to be made at the time of hire. While it does not make it impossible for exceptions to be made after a faculty member is hired, the revision discourages this practice.

*Location in Comparison Chart (Blocks): 33-34*
Creation of a Distinct Policy for Model Laboratory School
The proposed revision would no longer govern faculty at Model Laboratory School. The requirements for tenure for Model faculty are distinct enough to warrant consideration under a policy that makes more sense for that unique population.

Location in Comparison Chart (Blocks): 39

Increased Emphasis on Tenure Decision
Because of the long-time commitment of a tenure decision, the proposed revision adds language that emphasizes the importance of this decision.

Location in Comparison Chart (Blocks): 44

Changes in Department and College P & T Committees
- The proposed policy would no longer permit non-tenured faculty to serve on the department committee. Additionally, the revision would not permit a faculty member to serve as a voting member of more than one department’s P&T committee.
- An editorial change changes the emphasis for the election of the college P&T Committee from the Dean to the faculty in the college.

Location in Comparison Chart (Blocks): 84, 89

Notifications
The proposed policy clarifies—and in some cases adds—how, when, and by whom notifications will occur at various levels.

Location in Comparison Chart (Blocks): 98-103

Extensions of Probationary Period
The proposed policy permits childbirth or adoption as a reason for requesting an extension but also reduces the number of extensions.

Location in Comparison Chart (Blocks): 20, 21

Processes/Procedures
The proposed revision
- Eliminates Principle 18 on the current policy and incorporating in the Procedure section of the policy
- Clarifies the inability to be awarded tenure by default.
- Allows a candidate to withdraw from the tenure process
- Clarifies the responsible parties for addressing conflicts of interest on promotion and tenure committees
- Allows the promotion process to move forward after negative recommendation with notification rather than appeal

Location in Comparison Chart (Blocks): 17, 101, 105, 110, 159
### Comparison between Proposed 4.6.4 and Current 4.6.4

Note: strikeout = deletion of text; underline = addition of text; red = similar wording/concept; [ ] = wording that has been moved

**CODE:**  C = Clarification  O=Organization  D=Duplication  E=Editorial  M=Minor Editing  NC=No Change  S=Substantive Change  U=Unnecessary  W=Wrong policy  I=Implementation

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<td>11</td>
<td>Eastern Kentucky University, as a matter of principle, complies with the American Association of University Professors and the Association of American Colleges and Universities — 940 Statement of Principles on Academic Freedom and Tenure. The AAUP &amp; AAC&amp;U statement addresses policy and procedural expectations for a wide variety of institutions of higher education. 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.</td>
<td>Eastern Kentucky University, as a matter of principle, complies with the AAUP standards for faculty promotion and tenure. These standards establish basic policy and procedural expectations for a wide variety of institutions of higher education and for disciplines within universities while providing for appropriate professional flexibility at departmental levels. It is with this understanding that the following statements of principles and procedures are set forth to guide the faculty and the administration. (PURPOSE) This policy ensures that the University has established criteria and processes by which the awarding of tenure and/or promotion may be evaluated. The policy ensures that these criteria are clearly articulated and that all processes related to the evaluation of those criteria are transparent and accessible to all persons in the university community.</td>
<td>CURRENT—page 1</td>
<td>C</td>
</tr>
<tr>
<td>21</td>
<td>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.</td>
<td></td>
<td>Unnecessary wording [Now appears in PROPOSED in Block 2, lines 2-3] Final sentence in CURRENT is unnecessary</td>
<td>O</td>
</tr>
<tr>
<td>31</td>
<td>1. Departmental committees, consisting of elected tenured faculty members, and the Department Chair shall have the primary responsibility for evaluating candidates in their department for promotion and tenure. Throughout the promotion and tenure process, departmental evaluations shall be given weight that reflects this primary responsibility.</td>
<td>1. Faculty peers elected to serve on departmental committees shall have the primary responsibility for evaluating candidates in their department for promotion and tenure. Throughout the promotion and tenure process, faculty and administrators shall recognize the primary of departmental recommendations.</td>
<td>CURRENT—page 2</td>
<td>C</td>
</tr>
<tr>
<td>41</td>
<td>2. Policies for promotion and tenure 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 departmental 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.</td>
<td>2. The review procedures in the decision-making process shall be open, documented, and verifiable.</td>
<td>CURRENT—page 2</td>
<td>C, O</td>
</tr>
<tr>
<td>51</td>
<td>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.</td>
<td>2. The review procedures in the decision-making process shall be open, documented, and verifiable.</td>
<td>CURRENT—page 2</td>
<td>C, O</td>
</tr>
<tr>
<td>61</td>
<td>4. Throughout the process, the principle of confidentiality shall be respected.</td>
<td>12. Throughout the process, principles of confidentiality shall be respected.</td>
<td>CURRENT—page 2</td>
<td>NC O</td>
</tr>
<tr>
<td>71</td>
<td>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 individual</td>
<td>7. Review processes at each level shall include appropriate evaluations of performance in teaching, scholarship, and service. These evaluations shall become part of the individual application</td>
<td>CURRENT—page 2</td>
<td>E</td>
</tr>
</tbody>
</table>

Updated February 2012
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<thead>
<tr>
<th>BLOCK</th>
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<th>CURRENT POLICY</th>
<th>EXPLANATION</th>
<th>CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>81</td>
<td>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 individual application dossier.</td>
<td>6. Review processes at each level shall be limited to professionally relevant considerations <strong>but</strong> shall include documented evidence of performance from the candidate, students, other faculty, and appropriate administrators. The documented evidence shall be part of the individual application dossier.</td>
<td>CURRENT—page 2</td>
<td>M</td>
</tr>
<tr>
<td>91</td>
<td>7. The justification for or against promotion and/or tenure shall be stipulated in writing and maintained in the candidate’s dossier at every step in the process.</td>
<td>8. The case for or against promotion and/or tenure will be stipulated in writing and found in the candidate’s dossier at every step in the process.</td>
<td>CURRENT—page 2</td>
<td>M</td>
</tr>
<tr>
<td>101</td>
<td>8. The department and college procedures not determined by this promotion and tenure policy (Policy 4.6.4P) shall be developed and approved by tenure-track faculty composing these units. Such procedures shall be made available to the faculty in these units.</td>
<td>9. The department and college procedures not determined by this promotion and tenure policy shall be developed and approved by tenure-track faculty composing these units. Such procedures shall be made available to the faculty in these units.</td>
<td>CURRENT—page 2</td>
<td>E</td>
</tr>
<tr>
<td>111</td>
<td>9. An appeal process shall be included in the promotion and tenure policy (Policy 4.6.4P).</td>
<td>4. Appeal processes shall be included in all promotion and tenure policies.</td>
<td>CURRENT—page 2</td>
<td>M</td>
</tr>
<tr>
<td>121</td>
<td>10. At each level, the candidate shall be notified in writing of the results of the deliberations, including the reasons for the recommendations.</td>
<td>9. At each level, the procedure shall provide a means to notify the candidates formally of the results of the deliberations, including the reasons for the recommendations.</td>
<td>CURRENT—page 2</td>
<td>M</td>
</tr>
<tr>
<td>131</td>
<td>11. Membership on committees beyond the department level shall consist of elected tenured faculty at the rank of Associate Professor or Professor.</td>
<td>13. Membership on college promotion and tenure committees shall be limited to tenured faculty members with the rank of Associate or Full Professor; membership on the University Promotion and Tenure Committee shall consist of elected tenured faculty members at the rank of Associate or Full Professor.</td>
<td>CURRENT—page 2</td>
<td>D</td>
</tr>
<tr>
<td>141</td>
<td>12. No individual participant in the process may VOTE at more than one level of the process.</td>
<td>16. No individual participant in the process may VOTE at more than one level of the process.</td>
<td>CURRENT—page 2</td>
<td>NC</td>
</tr>
<tr>
<td>151</td>
<td>10. At each level, provisions for appeal shall include an opportunity for the decision makers to reconsider the decision prior to referral to another body.</td>
<td>10. At each level, provisions for appeal shall include an opportunity for the decision makers to reconsider the decision prior to referral to another body.</td>
<td>CURRENT—page 2</td>
<td>S</td>
</tr>
<tr>
<td>161</td>
<td>17. Committees shall be comprised of members elected by their peers.</td>
<td>17. Committees shall be comprised of members elected by their peers.</td>
<td>CURRENT—page 2</td>
<td>D</td>
</tr>
<tr>
<td>171</td>
<td>18. Review of applications shall occur in the following way: a. If all recommendations are positive, the sequence of reviews of all applications for promotion and tenure are as follows: department committee, Department Chair, college promotion and tenure committee, Dean, Provost, President, and Board of Regents b. If a candidate is not recommended for tenure by the department committee, Department Chair, college promotion and tenure committee, or Dean, the application will automatically be reviewed by the University Committee on Promotion and Tenure prior to being forwarded to the Provost. c. If a candidate is not recommended for promotion by the...</td>
<td>18. Review of applications shall occur in the following way: a. If all recommendations are positive, the sequence of reviews of all applications for promotion and tenure are as follows: department committee, Department Chair, college promotion and tenure committee, Dean, Provost, President, and Board of Regents. b. If a candidate is not recommended for tenure by the department committee, Department Chair, college promotion and tenure committee, or Dean, the application will automatically be reviewed by the University Committee on Promotion and Tenure prior to being forwarded to the Provost. c. If a candidate is not recommended for promotion by the...</td>
<td>CURRENT—page 2</td>
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**Updated February 2012**
## Comparison between Proposed 4.6.4 and Current 4.6.4

Note: strikeout = deletion of text; underline = addition of text; red = similar wording/concept; [ ] = wording that has been moved

| CODE: C = Clarification    O=Organization    D=Duplication    E=Editorial    M=Minor Editing NC=No Change    S=Substantive Change    U=Unnecessary    W=Wrong policy    I=Implementation |
|----------------------------|--------------------------------------------------|

### BLOCK 1713

**PROPOSED POLICY**

- Tenure Appointments:
  - A faculty member may request an adjustment to his/her regularly assigned duties.

**CURRENT POLICY**

- Tenure Appointments:
  - A faculty member may request an adjustment to his/her regularly assigned duties.

**EXPLANATION**

- The provision for tenure are applicable to each president, professor, associate professor, assistant professor, and instructor.

**CODE**

- S

### BLOCK 1811

**PROPOSED POLICY**

- Eligibility
  - A tenure-track faculty member shall be eligible for tenure after completing a six-year probationary period of continuous full-time service at Eastern 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.

**CURRENT POLICY**

- Eligibility
  - A faculty member shall be eligible for tenure after completing a six-year probationary period of continuous full-time service at Eastern 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 thus 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. For faculty employed at mid-year, the probationary period does not begin until the beginning of the next academic year.

**EXPLANATION**

- CURRENT—page 4
  - Implicit in eligibility and criteria. Unsure how tenure applies to president. Instructors are not eligible for tenure.

**CODE**

- U

### BLOCK 2011

**PROPOSED POLICY**

- Adjustments to Probationary Period
  - A faculty member may request an adjustment to his/her regularly assigned duties.

**CURRENT POLICY**

- Adjustments to Probationary Period
  - A faculty member may request an adjustment to his/her regularly assigned duties.

**EXPLANATION**

- CURRENT—page 4

**CODE**

- C

### BLOCK 2111

**PROPOSED POLICY**

- A faculty member may request an adjustment to the probationary period by requesting 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, 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.

**CURRENT POLICY**

- Requests for an adjustment to the probationary period must be submitted in writing to the chair of the department as soon as possible after the occurrence of extenuating circumstances. The request 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. Adjustments may be granted for a maximum of two one-year periods.

**EXPLANATION**

- CURRENT—page 4
  - PROPOSED permits requesting extension of probationary period for childbirth or adoption of child or other FMLA covered events.
  - PROPOSED would allow only one one-year extension; CURRENT permits two one-year extensions.

**CODE**

- C

### Updated February 2012
## Comparison between Proposed 4.6.4 and Current 4.6.4

Note: strikeout = deletion of text; underline = addition of text; red = similar wording/concept; [ ] = wording that has been moved.

**CODE:**  
- C = Clarification  
- O = Organization  
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- U = Unnecessary  
- W = Wrong policy  
- I = Implementation

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<tbody>
<tr>
<td>21</td>
<td>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.</td>
<td></td>
<td>PROPOSED retains some of the procedure in the CURRENT but it clarifies by added some details.</td>
<td>C</td>
</tr>
<tr>
<td>22</td>
<td>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.</td>
<td></td>
<td></td>
<td>NC</td>
</tr>
</tbody>
</table>
| 23    | [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. | CURRENT—page 3  
[Moved from CURRENT, Block 24, lines 5-9; the University ‘appoints’ faculty]  
This reiterates the AAUP guideline regarding the terminal appointment | O, C |
| 24    | The provisions for tenure are applicable to each president, professor, associate professor, assistant professor, and instructor. A faculty member shall be eligible for tenure after completing a six-year probationary period of continuous full-time service and attaining the rank of assistant professor or above. [If, by the end of the six-year probationary period, promotion beyond the rank of instructor cannot be justified or if for any other reason a faculty member is not recommended for tenure, a one-year terminal contract shall be tendered.] At the time of initial appointment, and upon the recommendation of the President, the Board of Regents may accept service at another institution in lieu of any part of the six-year probationary period at this institution. The University doesn’t issues contracts. | CURRENT—page 3  
[Moved to PROPOSED, Block 22, lines 1-3; ‘six-year’ deleted because some probationary periods are shorter]  
The University doesn’t issues contracts  
Will be moved to Policy 4.6.3P, Faculty Appointments | U, D, O, C |
| 25    | If the employment of a faculty member serving during the probationary period is to be terminated at the completion of the current annual contract, that faculty member shall be given written notice of nonreappointment, or of intention not to | CURRENT—page 3  
Will be moved to 4.6.5P (Evaluation of Non-Tenured Tenure-Track Faculty) where it is more applicable | W |

Updated February 2012
### Comparison between Proposed 4.6.4 and Current 4.6.4

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<tbody>
<tr>
<td>255</td>
<td>Recommend reappointment, in accordance with the following timetables:</td>
<td>Recommend reappointment, in accordance with the following timetables:</td>
<td></td>
<td>W</td>
</tr>
<tr>
<td>256</td>
<td>A. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year, or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.</td>
<td>A. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year, or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.</td>
<td>CURRENT—page 3</td>
<td>NC</td>
</tr>
<tr>
<td>257</td>
<td>B. Not later than December 15 of the second academic year of service, if appointment expires at the end of that year, or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.</td>
<td>B. Not later than December 15 of the second academic year of service, if appointment expires at the end of that year, or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.</td>
<td></td>
<td>E</td>
</tr>
<tr>
<td>258</td>
<td>C. At least twelve months before the expiration of an appointment after two or more years at the institution.</td>
<td>C. At least twelve months before the expiration of an appointment after two or more years at the institution.</td>
<td></td>
<td>NC</td>
</tr>
<tr>
<td>261</td>
<td>Any faculty member who intends to terminate employment at the end of the current annual contract has a strong professional obligation to indicate this in writing to the President of the University at the earliest possible date. In no case should this date be later than March 1 or 30 days after receipt of the subsequent year’s contract, whichever comes later.</td>
<td>Any faculty member who intends to terminate employment at the end of the current annual contract has a strong professional obligation to indicate this in writing to the President of the University at the earliest possible date. In no case should this date be later than March 1 or 30 days after receipt of the current year’s contract, whichever comes later.</td>
<td></td>
<td>W?</td>
</tr>
<tr>
<td>271</td>
<td>Attainment of tenure status by a faculty member shall remain in effect unless just cause shall be shown for terminating employment.</td>
<td>Attainment of tenure status by a faculty member shall remain in effect unless just cause shall be shown for terminating employment.</td>
<td>CURRENT—page 3</td>
<td>NC</td>
</tr>
<tr>
<td>272</td>
<td>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.</td>
<td>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.</td>
<td></td>
<td>E</td>
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<tr>
<td>273</td>
<td>In addition, bona fide financial exigencies may be cause for termination of employment.</td>
<td>In addition, bona fide financial exigencies may be cause for termination of employment.</td>
<td></td>
<td>NC</td>
</tr>
<tr>
<td>281</td>
<td>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.</td>
<td>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.</td>
<td>CURRENT—page 3</td>
<td>NC</td>
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#### Application for Tenure and Promotion:

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<th>BLOCK</th>
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</thead>
<tbody>
<tr>
<td>291</td>
<td>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.</td>
<td>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 and college, and who are qualified to perform at that rank in the academic department.</td>
<td>CURRENT—page 4</td>
<td>NC</td>
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## Comparison between Proposed 4.6.4 and Current 4.6.4

### Criteria for Tenure and Promotion:

**Policy Principles:**

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<tr>
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</thead>
<tbody>
<tr>
<td>301</td>
<td>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 that department.</td>
<td>2. A prospective faculty 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 that department.</td>
<td>CURRENT—page 4</td>
<td>NC</td>
</tr>
<tr>
<td>311</td>
<td>3. Currently employed faculty who hold academic rank and tenure in one department but transfer to another department will retain their rank and tenure with prior concurrence of the new department.</td>
<td>4. Currently employed faculty who hold academic rank, but not in an established department, must seek promotion or tenure through the academic department and college most closely related to their educational qualifications and/or professional responsibilities.</td>
<td>CURRENT—page 4</td>
<td>NC</td>
</tr>
<tr>
<td>321</td>
<td>4. Currently employed faculty who hold academic rank, but not in an established department, must seek promotion or tenure through the academic department and college most closely related to their educational qualifications and/or professional responsibilities.</td>
<td>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 contractual exceptions are recognized and applied in the review of application for tenure, promotion, or both.</td>
<td>CURRENT—page 4</td>
<td>C, E, O</td>
</tr>
<tr>
<td>331</td>
<td>5. The Provost and the Dean shall ensure that agreed-upon exceptions to tenure and promotion policy are documented at the time of a faculty member’s initial appointment, or thereafter, in a full-time, tenure-track position so that such contractual exceptions are recognized and applied in the review of application for tenure and promotion.</td>
<td>The deletion of “thereafter” from the CURRENT policy would mean exceptions to P&amp;T policy would be harder to make after the initial hire (see Block 34)</td>
<td>S</td>
<td></td>
</tr>
</tbody>
</table>
| 341   | 6. Other exceptions to tenure and promotion policy may only be made under extraordinary circumstances. | **Policy Principles:**

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

<table>
<thead>
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<tr>
<td>351</td>
<td>1. Criteria for tenure shall be distinct from criteria for promotion.</td>
<td>1. Criteria for promotion shall be distinct from criteria for tenure.</td>
<td>CURRENT—page 2</td>
<td>E</td>
</tr>
<tr>
<td>361</td>
<td>2. The university shall identify and publish university-wide criteria for tenure and promotion.</td>
<td>2. The university shall identify university-wide criteria for tenure and promotion and shall inform faculty of these criteria.</td>
<td>CURRENT—page 2</td>
<td>E</td>
</tr>
<tr>
<td>371</td>
<td>3. Consistent with the university criteria, each college shall identify college-wide criteria for promotion and tenure within the areas of teaching, scholarly/creative activities, and service.</td>
<td>3. Consistent with the university criteria, each college shall identify college-wide criteria for promotion and tenure within the areas of teaching, scholarship, and service.</td>
<td>CURRENT—page 2</td>
<td>E</td>
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<tr>
<td>381</td>
<td>4. Consistent with university and college criteria, each department shall identify specific criteria for promotion and tenure within the areas of teaching, scholarly/creative activities, and service.</td>
<td>4. Consistent with university and college criteria, each department shall identify specific criteria for promotion and tenure within the areas of teaching, scholarship, and service.</td>
<td>CURRENT—page 2</td>
<td>E</td>
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<tr>
<td>391</td>
<td>5. Criteria should also be articulated for the Libraries.</td>
<td>6. Criteria should also be articulated for special units, such as Model Lab, the Libraries, etc.</td>
<td>CURRENT—page 3</td>
<td>S</td>
</tr>
<tr>
<td>401</td>
<td>6. All criteria shall allow for diversity in faculty contributions and shall reflect EKU’s traditional emphasis upon effective teaching.</td>
<td>5. All criteria shall reflect good practices at comparable institutions, shall allow for diversity in faculty contributions, and shall reflect EKU’s traditional emphasis upon effective teaching.</td>
<td>CURRENT—page 3</td>
<td>C</td>
</tr>
<tr>
<td>411</td>
<td>7. Criteria at all levels will recognize the primacy of teaching over service or scholarly/creative endeavor.</td>
<td>CURRENT—page 3</td>
<td>D</td>
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<td><strong>42</strong></td>
<td><strong>Criteria for Tenure</strong></td>
<td><strong>Current—page 5</strong></td>
<td>{Covered in PROPOSED, block 3}</td>
<td>D</td>
</tr>
<tr>
<td>2</td>
<td>Faculty peers at the department, college, and university levels have the main responsibility for recommendations concerning tenure.</td>
<td>{Covered in procedures}</td>
<td>U</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Chairs, Deans, and the Provost are responsible for reviewing all applications for tenure and making separate recommendations.</td>
<td>{Covered in PROPOSED, blocks 176 and 178}</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>The President shall present recommendations to the Board of Regents, which has the authority for final decisions concerning tenure.</td>
<td>[Implicit in criteria]</td>
<td>U</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Recommendations and decisions shall be based on the evaluation of candidates’ performance in the areas of teaching, scholarly/creative activities, and service, with recognition that at EKU effective teaching is emphasized.</td>
<td>Duplicative, see PROPOSED, block 40</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>The criteria that follow are broad criteria for use university-wide.</td>
<td>Deletions as both unnecessary and duplicative (see note in block 40)</td>
<td>U, D</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Departments shall be required to identify and defend criteria for tenure. These criteria shall reflect the broad criteria established for the University and shall reflect good practice in the discipline, as well as practices at comparable regional comprehensive universities.</td>
<td>(see note in block 40)</td>
<td>O</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>The departmental criteria shall be reviewed for approval by the college Dean and by the college and university promotion and tenure committees, and recommendations shall be presented to the Provost and the President for approval.</td>
<td>Moved to PROPOSED, block 183</td>
<td>O</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>A systematic review and approval of departmental criteria shall be conducted a minimum of every five years.</td>
<td>Duplicative (see PROPOSED, block 3)</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Throughout the decision making process, faculty and administrators shall recognize the primacy of departmental recommendations. The criteria that follow are broad criteria for use university-wide.</td>
<td>Unnecessary</td>
<td>U</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>The following guidelines, departments shall determine specific criteria, which, as approved, shall be used in evaluation of candidates for tenure. The following criteria apply to recommendations and decisions concerning tenure. Other criteria may apply to decisions concerning promotion.</td>
<td>Moved to PROPOSED, block 43</td>
<td>O</td>
<td></td>
</tr>
<tr>
<td><strong>43</strong></td>
<td><strong>Criteria for Tenure</strong></td>
<td><strong>Current—page 5</strong></td>
<td>From CURRENT, block 41, lines 16-18</td>
<td>O</td>
</tr>
<tr>
<td>2</td>
<td>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.</td>
<td>Moved to PROPOSED, block 113, line 5</td>
<td>O, C</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>The following criteria apply to recommendations and decisions concerning tenure. Other criteria may apply to decisions concerning initial appointments and promotion.</td>
<td>From CURRENT, block 113, line 5</td>
<td>O</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>1. Terminal graduate degree in appropriate discipline and as approved in compliance with Determining Qualifications for Faculty Teaching Credit-Bearing Courses (4.6.1P).</td>
<td>Reworded to ensure consistency with other University policy</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>2. Rank of Assistant Professor or above</td>
<td></td>
<td>O</td>
<td></td>
</tr>
</tbody>
</table>

Updated February 2012
## Comparison between Proposed 4.6.4 and Current 4.6.4

**Note:** strikeout = deletion of text; underline = addition of text; red = similar wording/concept; [ ] = wording that has been moved

**CODE:** C = Clarification  O=Organization  D=Duplication  E=Editorial  M=Minor Editing  NC=No Change  S=Substantive Change  U=Unnecessary  W=Wrong policy  I=Implementation

### BLOCK

<table>
<thead>
<tr>
<th>PROPOSED POLICY</th>
<th>CURRENT POLICY</th>
<th>EXPLANATION</th>
<th>CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>481</strong> 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</td>
<td>2. 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</td>
<td>CURRENT—page 5</td>
<td>NC</td>
</tr>
<tr>
<td><strong>491</strong> 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.</td>
<td>3. Performance in the areas of teaching, scholarly/creative activities, and service that meets established department criteria.</td>
<td>CURRENT—page 5</td>
<td>S</td>
</tr>
<tr>
<td><strong>501</strong> 4.1 Teaching – a continuing record of successful teaching as demonstrated 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.</td>
<td>3.1. Teaching – a continuing 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 required by the department.</td>
<td>CURRENT—page 5</td>
<td>C, E</td>
</tr>
<tr>
<td><strong>511</strong> 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, a 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)</td>
<td>3.2. Scholarly/Creative Activities – evidence of scholarly/creative activities relevant to the faculty member’s appointment, demonstrated, for example, through 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, interpretation, application, or pedagogy.</td>
<td>CURRENT—page 5</td>
<td>C, E</td>
</tr>
<tr>
<td><strong>521</strong> 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.</td>
<td>3.3. Service – evidence of effective, professionally-related service, demonstrated, for example, by service in the department, college, or university; service in the profession; and, as appropriate, professionally-related service in the community.</td>
<td>CURRENT—page 5</td>
<td>M</td>
</tr>
</tbody>
</table>

### Criteria for Promotion

<table>
<thead>
<tr>
<th>Criteria for Promotion</th>
<th>CURRENT—page 3-6</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Faculty peers at the department, college, and university levels have the main responsibility for recommendations concerning promotion. Department chairs and college Deans are responsible for presenting separate recommendations. The Provost and President shall present recommendations from the department and college levels and their own recommendations to the Board of Regents, which has the authority for final decisions concerning promotion. Recommendations and decisions shall be based on the evaluation of candidates’ performance in the areas of teaching, scholarly/creative activities, and service, with recognition that teaching is a priority at ECU.</em></td>
<td>(Covered in PROPOSED, block 3) D</td>
</tr>
<tr>
<td>[Covered in procedures]</td>
<td>U</td>
</tr>
<tr>
<td>[Covered in PROPOSED, block 183]</td>
<td>D</td>
</tr>
<tr>
<td>[Implicit in criteria]</td>
<td>U</td>
</tr>
<tr>
<td>[Duplicative, see PROPOSED, block 38]</td>
<td>D</td>
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</table>
| 541   |                | Departments shall be required to identify specific criteria for promotion. These criteria shall reflect the broad criteria established for the University and shall reflect good practice in the discipline, as determined by appropriate professional organizations and comparable regional comprehensive universities. [The departmental criteria shall be reviewed for approval by the college Dean and by the college and university promotion and tenure committees, and recommendations shall be presented to the Provost and the President for approval.] [A systematic review and approval of departmental criteria shall be conducted a minimum of every five years.] | CURRENT—page 6  
Deleted as both unnecessary and duplicative  
(see note in block 38)  
Moved to PROPOSED, block 184, lines 2-5 | U, D |
|       |                | The criteria that follow are broad criteria for use university-wide. Within these guidelines, departments shall determine specific criteria and shall evaluate candidates for promotion in terms of the criteria. | CURRENT—page 6  
See PROPOSED, block 43, line 13  
Unnecessary | O, D |
| 551   | 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. | The following criteria apply to recommendations and decisions concerning promotion. Other criteria may apply for decisions about initial appointments. From rank to rank, criteria reflect increasing expectations within the same areas of performance considered for promotion in rank. | CURRENT—page 6 | NC |
| 561   | For Promotion from Instructor to Assistant Professor | For Promotion from Instructor to Assistant Professor | CURRENT—page 6 | |
|       | 1.1 Educational qualifications: terminal graduate degree in appropriate discipline and as approved in compliance with Determining Qualifications for Faculty Teaching Credit-Bearing Courses (4.6.1P). | 1.1 Educational qualifications: terminal graduate degree in appropriate discipline | CURRENT—page 6  
Reworded to ensure consistency with other University policy | C |
|       | 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. | 1.2 Time in rank: minimum of one year of experience at EKU prior to applying for promotion or a term of full-time service agreed upon and documented at the time of initial appointment. | CURRENT—page 6 | M |
|       | 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). | 1.3 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). | CURRENT—page 6 | NC |
|       | 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) | 1.4 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 pedagogy. | CURRENT—page 6  
Changed to accurately reflect the language in Boyer’s Scholarship Reconsidered | E |
|       | 1.5 Satisfactory performance in professional-related service in the department, college, or university; in the profession; and, as appropriate, in the community. | 1.5 Satisfactory performance in professional-related service in the department, college, or university; in the profession; and, as appropriate, in the community. | CURRENT—page 6 | NC |

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**Updated February 2012**
### Comparison between Proposed 4.6.4 and Current 4.6.4

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<thead>
<tr>
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<tr>
<td>621</td>
<td>1.1 Educational qualifications: Terminal graduate degree in appropriate discipline and as approved in compliance with Determining Qualifications for Faculty Teaching Credit-Bearing Courses (4.6.1P).</td>
<td>1.1 Educational qualifications: terminal graduate degree in appropriate discipline</td>
<td>CURRENT—page 6 Reworded to ensure consistency with other University policy</td>
<td>C</td>
</tr>
<tr>
<td>631</td>
<td>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.</td>
<td>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.</td>
<td>CURRENT—page 6</td>
<td>NC</td>
</tr>
<tr>
<td>641</td>
<td>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).</td>
<td>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).</td>
<td>CURRENT—page 6</td>
<td>NC</td>
</tr>
<tr>
<td>651</td>
<td>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.</td>
<td>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.</td>
<td>CURRENT—page 6</td>
<td>NC</td>
</tr>
<tr>
<td>661</td>
<td>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).</td>
<td>1.5 Record of successful peer-reviewed scholarly/creative activities, some accomplished at the 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, interpretation, application, or pedagogy. (See Boyer).</td>
<td>CURRENT—page 6 Changed to accurately reflect the language in Boyer’s Scholarship Reconsidered</td>
<td>E</td>
</tr>
<tr>
<td>671</td>
<td>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.</td>
<td>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.</td>
<td>CURRENT—page 6</td>
<td>NC</td>
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</tbody>
</table>

**Promotion from Associate Professor to Professor**

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<thead>
<tr>
<th>BLOCK</th>
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<tbody>
<tr>
<td>681</td>
<td>1.1 Educational qualifications: terminal graduate degree in appropriate discipline and as approved in compliance with Determining Qualifications for Faculty Teaching Credit-Bearing Courses (4.6.1P).</td>
<td>1.1 Educational qualifications: terminal graduate degree in appropriate discipline</td>
<td>CURRENT—page 6 Reworded to ensure consistency with other University policy</td>
<td>C</td>
</tr>
<tr>
<td>691</td>
<td>1.2 Time in previous rank: minimum of five years of full-time service in rank at EKU or a term agreed upon and documented at the time of initial appointment; candidates may apply for promotion in the fifth year.</td>
<td>1.2 Time in previous rank: minimum of five years of full-time experience in rank at EKU or a term agreed upon and documented at the time of initial appointment; candidates may apply for promotion in the fifth year.</td>
<td>CURRENT—page 6</td>
<td>NC</td>
</tr>
<tr>
<td>701</td>
<td>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).</td>
<td>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).</td>
<td>CURRENT—page 6</td>
<td>NC</td>
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### Comparison between Proposed 4.6.4 and Current 4.6.4

<table>
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</thead>
<tbody>
<tr>
<td>71</td>
<td>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.</td>
<td>CURRENT—page 6</td>
<td>NC</td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>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)</td>
<td>CURRENT—page 7</td>
<td>E</td>
<td></td>
</tr>
<tr>
<td></td>
<td>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.</td>
<td>CURRENT—page 7</td>
<td>NC</td>
<td></td>
</tr>
<tr>
<td>73</td>
<td>Procedures: Establishing Department and College Procedures Department</td>
<td>Procedures: Establishing Procedures and the Committee</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>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 promotion and tenure 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.</td>
<td>CURRENT—page 13 [Moved from CURRENT, block 83, lines 1-2]</td>
<td>O</td>
<td></td>
</tr>
<tr>
<td></td>
<td>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.</td>
<td>CURRENT—page 12</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td></td>
<td>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.</td>
<td>CURRENT—page 12</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td></td>
<td>College: Establishing Procedures and the Committee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) Each college, by majority vote of the full-time tenure-track faculty, shall develop written guidelines for promotion and tenure procedures to include at least the following:</td>
<td>CURRENT—page 14</td>
<td>NC</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Criteria unique to that college.</td>
<td>CURRENT—page 14</td>
<td>NC</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. Procedures and methods of selecting the college committee to review candidates for promotion and tenure and the selection</td>
<td>CURRENT—page 14</td>
<td>NC</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2) Procedures and methods of selecting the college committee to review candidates for promotion and tenure</td>
<td></td>
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<tr>
<td>793</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>801</td>
<td>(3) Clear definitions of the responsibilities of the committee and the college administration.</td>
<td>(3) Clear definitions of the responsibilities of the committee and the college administration.</td>
<td>CURRENT—page 14</td>
<td>NC</td>
</tr>
<tr>
<td>802</td>
<td>C. Each college shall establish clear definitions and delineations of the responsibilities of the committee and the college Dean in writing and filed in the Office of the Provost and Vice President for Academic Affairs.</td>
<td>Similar to lines 1-2 in this block</td>
<td>E, O</td>
<td></td>
</tr>
<tr>
<td>811</td>
<td>Added to balance with department procedures (see block 76)</td>
<td>See block 81</td>
<td>C</td>
<td></td>
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</table>

### Establishing Promotion and Tenure Committees

#### Departments

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<tr>
<th>BLOCK</th>
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<th>EXPLANATION</th>
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</thead>
<tbody>
<tr>
<td>831</td>
<td>Department committees for promotion and tenure shall be composed as determined by the full-time tenure-track faculty of the department, within the following guidelines:</td>
<td>Department committees for promotion and tenure shall be composed as determined by the full-time teaching faculty of the department, within the following guidelines:</td>
<td>CURRENT—page 13</td>
<td>O</td>
</tr>
<tr>
<td>832</td>
<td>C. Each department shall establish procedures and methods for selecting the department committee for promotion and tenure.</td>
<td>[Moved to PROPOSED, block 74, lines 1-2]</td>
<td>E, O</td>
<td></td>
</tr>
<tr>
<td>833</td>
<td>It’s not advisable to allow someone to vote on more than one P&amp;T committee.</td>
<td>Because of the potential conflict of interest, it’s not advisable to have tenure-track faculty serve on the committee.</td>
<td>S</td>
<td></td>
</tr>
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</table>

### Establishing Promotion and Tenure Committees

#### Colleges

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<tr>
<td>841</td>
<td>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 Dean of the college. In this case, the faculty member may not serve on the promotion and tenure committee of more than one department.</td>
<td>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 Dean of the college. In this case, the faculty member may not serve on the promotion and tenure committee of more than one department.</td>
<td>CURRENT—page 13</td>
<td>S, M</td>
</tr>
<tr>
<td>842</td>
<td>It’s not advisable to allow someone to vote on more than one P&amp;T committee.</td>
<td>Because of the potential conflict of interest, it’s not advisable to have tenure-track faculty serve on the committee.</td>
<td>S</td>
<td></td>
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### Establishing Procedures and the Committee

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<tr>
<td>851</td>
<td>The maximum number of members shall be determined by the department.</td>
<td>The maximum number of members shall be determined by the department.</td>
<td>CURRENT—page 13</td>
<td>NC</td>
</tr>
<tr>
<td>861</td>
<td>If a faculty member or a member of his or her immediate family is being considered for promotion or tenure, 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 (c), above, shall be followed.</td>
<td>If a faculty member or a member of his or her immediate family is being considered for promotion or tenure, 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 (c), above, shall be followed.</td>
<td>CURRENT—page 13</td>
<td>C, M</td>
</tr>
<tr>
<td>871</td>
<td>The committee shall be elected no later than September 10 of the year in which it is to function.</td>
<td>This is established in procedures</td>
<td>CURRENT—page 14</td>
<td>NC</td>
</tr>
</tbody>
</table>

Updated February 2012
### Comparison between Proposed 4.6.4 and Current 4.6.4

Note: strikeout = deletion of text; underline = addition of text; red = similar wording/concept; [] = wording that has been moved

<table>
<thead>
<tr>
<th>BLOCK</th>
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</thead>
<tbody>
<tr>
<td>884</td>
<td></td>
<td></td>
<td></td>
<td>O, U</td>
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<tr>
<td>891</td>
<td>College committees for promotion and tenure shall be composed as determined by the full-time tenure-track faculty of the college, within the following guidelines:</td>
<td>1. The Dean shall arrange for the election of members of the college promotion and tenure committee and an alternate</td>
<td>CURRENT—page 8 Changes the emphasis for election of the college P &amp; T Committee from the Dean to the faculty</td>
<td>S</td>
</tr>
<tr>
<td>901</td>
<td>a) [Membership in 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).]</td>
<td>13. [Membership on college promotion and tenure committees shall be limited to tenured faculty members with the rank of Associate or Full Professor]; membership on the University Promotion and Tenure Committee is limited to tenured faculty members with the rank of Professor or the highest rank available. (1) [The committee shall consist of no fewer than six voting members and shall be constituted so as to ensure fair representation in regard to diversity and department.] These representatives shall hold a minimum rank of Associate Professor or its equivalent in programs where such rank does not apply, i.e., Model Lab, the Libraries etc.).</td>
<td>CURRENT—page 2 No longer necessary since University P&amp;T Committee doesn't exist in PROPOSED [Moved to PROPOSED, Block 91] CURRENT—page 14</td>
<td>O, U, S, O</td>
</tr>
<tr>
<td>911</td>
<td>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.]</td>
<td>(3) If a faculty member or a member of his or her immediate family is being considered for promotion or tenure, the faculty member shall not serve on the committee that year. The college procedures shall provide for an alternate who shall serve throughout the year.</td>
<td>CURRENT—page 14</td>
<td>O, C</td>
</tr>
<tr>
<td>921</td>
<td>c) If a faculty member or a member of his or her family/household is being considered for promotion or tenure, the faculty member shall not serve on the committee that year. The college procedures shall provide for an alternate who shall serve throughout the year.</td>
<td>(4) Members of the college promotion and tenure committee cannot simultaneously serve on the department or university promotion and tenure committees. That is, no one individual may vote upon a particular petition at more than one level in the process.</td>
<td>CURRENT—page 14 Reflects deletion of University P&amp;T Committee and the addition of FEAC Duplication-Now in PROPOSED, block 14</td>
<td>NC, S</td>
</tr>
<tr>
<td>931</td>
<td>d) Members of the college promotion and tenure committee cannot simultaneously serve on the department committee or the Faculty Evaluation Appeals Committee.</td>
<td>(5) If an elected member cannot serve, an elected alternate should serve in their stead.</td>
<td>CURRENT—page 14 Already covered in PROPOSED, block 92, lines, 4-5</td>
<td>D</td>
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<tr>
<td>941</td>
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<td></td>
<td></td>
<td>D</td>
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<tr>
<td>951</td>
<td></td>
<td></td>
<td></td>
<td>D</td>
</tr>
<tr>
<td>961</td>
<td>e) The committee shall be elected no later than September 10 of the year in which it is to function.</td>
<td>(6) If these provisions cannot be met, the Dean shall arrange for appropriate representation from other qualified faculty.</td>
<td>CURRENT—page 14 Already covered in PROPOSED, block 912, lines, 4-5</td>
<td>U</td>
</tr>
<tr>
<td>971</td>
<td>The Faculty Evaluation Appeals Committee shall consist of a faculty member from each college and from the Libraries.</td>
<td>(7) The committee shall be selected no later than September 10 of the year in which it is to function.</td>
<td>CURRENT—page 14</td>
<td>NC</td>
</tr>
</tbody>
</table>

**Updated February 2012**
## Comparison between Proposed 4.6.4 and Current 4.6.4

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- C = Clarification
- O = Organization
- D = Duplication
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- S = Substantive Change
- U = Unnecessary
- W = Wrong policy
- I = Implementation

### BLOCK | PROPOSED POLICY | CURRENT POLICY | EXPLANATION | CODE
--- | --- | --- | --- | ---
973 | a) Each academic 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. | PROPOSED policy creates a substantially different appeals process, which involves the use of a university-level committee to review appeals. The committee has similarities to the University Promotion and Tenure Committee but has two main differences: 1) it will review only appeals and 2) it will conduct a review after the Provost makes a recommendation. Because this committee is reviewing for specific grounds for appeal, the membership is smaller than the University P&T Committee. For the new appeals process, see blocks 173 through 178. | S

### The Application Process

#### Eligibility

<table>
<thead>
<tr>
<th>BLOCK</th>
<th>PROPOSED POLICY</th>
<th>CURRENT POLICY</th>
<th>EXPLANATION</th>
<th>CODE</th>
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</thead>
</table>
981 | 1. No later than April 15, the Dean shall notify the Department Chair of faculty eligible for tenure in the next academic year. | It is the responsibility of the Dean of the college to inform the department chairs of the need to review each person eligible for tenure. | CURRENT—page 8 | C |

### Tenure

<table>
<thead>
<tr>
<th>BLOCK</th>
<th>PROPOSED POLICY</th>
<th>CURRENT POLICY</th>
<th>EXPLANATION</th>
<th>CODE</th>
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</thead>
</table>
991 | 1. 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. | It is the responsibility of the department chairs to inform the department promotion and tenure committee of the need to review each person eligible for tenure. | CURRENT—page 9 | C |

### Shifts Chair’s notification from committee to candidate

<table>
<thead>
<tr>
<th>BLOCK</th>
<th>PROPOSED POLICY</th>
<th>CURRENT POLICY</th>
<th>EXPLANATION</th>
<th>CODE</th>
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</thead>
</table>
1001 | 1. 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. | This addition provides a check to ensure that all eligible candidates are reviewed | | S |

### Promotion

<table>
<thead>
<tr>
<th>BLOCK</th>
<th>PROPOSED POLICY</th>
<th>CURRENT POLICY</th>
<th>EXPLANATION</th>
<th>CODE</th>
</tr>
</thead>
</table>
1011 | 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. | By requiring tenure candidates to provide notification of intent, candidates can make an early choice, if so desired, to not apply for tenure. | CURRENT—page 7 | S |

### Failure to Submit Tenure Application

<table>
<thead>
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<th>BLOCK</th>
<th>PROPOSED POLICY</th>
<th>CURRENT POLICY</th>
<th>EXPLANATION</th>
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</thead>
</table>
1021 | 1. For PROMOTION, it is the responsibility of the candidate to initiate the process, the candidate must request a departmental review by presenting a letter to the department chair, with a copy to the Dean, no later than September 10 of the year of review. | Note the date change | E,C |
## Comparison between Proposed 4.6.4 and Current 4.6.4

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### BLOCK PROPOSED POLICY CURRENT POLICY EXPLANATION CODE

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<th><strong>1041</strong></th>
<th><strong>PROPOSED POLICY</strong></th>
<th><strong>CURRENT POLICY</strong></th>
<th><strong>EXPLANATION</strong></th>
<th><strong>CODE</strong></th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>It is the responsibility of the candidate to submit an application for tenure. Failure to do so will result in a terminal appointment.</td>
<td>1. For TENURE, it is the responsibility of the candidate to submit an application. Failure to do so will result in a terminal contract. Appropriate forms shall be made available in department office.</td>
<td>CURRENT—page 7</td>
<td>E, C, U</td>
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<tr>
<td>2.</td>
<td>Withdrawal of Promotion and/or Tenure Applications</td>
<td></td>
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<tr>
<td>3.</td>
<td>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.</td>
<td>Should an applicant for promotion choose to withdraw from candidacy, the applicant shall so inform the department chair and the Dean of the college in writing.</td>
<td>CURRENT—page 10</td>
<td>C</td>
</tr>
<tr>
<td>4.</td>
<td>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 April 1 in the academic year the candidate is seeking tenure. Tenure candidates who withdraw from the process will be issued a terminal appointment.</td>
<td>Added to allow a candidate the option of withdrawing from the tenure process.</td>
<td>S</td>
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<tr>
<td>5.</td>
<td>Conducting Evaluation Reviews for Tenure and Promotion</td>
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<td>6.</td>
<td>General Guidelines for Reviews at All Levels</td>
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<tr>
<td><strong>1071</strong></td>
<td>1. All reviews shall be conducted in an ethical manner, with recommendations and justifications based on relevant, documented, and verifiable information.</td>
<td>a. To conduct all reviews in an ethical manner: basing decisions on relevant information, maintaining confidentiality, and recording written minutes of meetings and proceedings.</td>
<td>CURRENT—pages 9, 10, and 12</td>
<td>D, O</td>
</tr>
<tr>
<td>2.</td>
<td>To ensure that a chair and a recording secretary are provided for in accordance with college policies and procedures.</td>
<td>b. To elect a chair and recording secretary from the committee membership.</td>
<td>CURRENT—page 9</td>
<td>D, O</td>
</tr>
<tr>
<td>3.</td>
<td>Committee recommendations on promotion and tenure shall be based upon secret ballot and majority vote. A tie vote is considered a negative vote on the recommendation.</td>
<td>Committee recommendations on promotion and tenure shall be based on secret ballot and majority vote. A tie vote shall be considered a negative recommendation.</td>
<td>CURRENT—pages 9 and 11</td>
<td>M</td>
</tr>
<tr>
<td>4.</td>
<td>Administrative reviewers should ensure that promotion and tenure recommendations are consistent with the goals and needs of the areas within their scope of responsibility.</td>
<td>b. To provide the appropriate professional interpretations for the discipline. e. To ensure that the promotion and tenure recommendations are consistent with the goals and needs of the department. c. To ensure that the promotion and tenure recommendations are consistent with the goals and needs of the college as well as consistent with the department’s own criteria. d. (1) That the promotion and tenure recommendations are consistent with the goals and needs of the University as well as consistent with the criteria of both the college and department.</td>
<td>CURRENT—page 10</td>
<td>D, O</td>
</tr>
<tr>
<td>5.</td>
<td>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.</td>
<td>The Dean shall ensure that the membership of the college promotion and tenure committee does not pose a conflict of interest in evaluating and voting upon applicants. If such a conflict exists, the Dean shall arrange for an elected alternate.</td>
<td>CURRENT—page 8</td>
<td>C, S</td>
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</tbody>
</table>

Updated February 2012
### Comparison between Proposed 4.6.4 and Current 4.6.4

<table>
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<tbody>
<tr>
<td>1121</td>
<td>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.</td>
<td>15. Department chairs, college Deans, and the Provost shall NOT serve as voting members on promotion and tenure committees at any level. (1) The chair of the department may NOT serve as a voting member on the committee. (2) The Dean of the college shall NOT serve as a voting member.</td>
<td>CURRENT—page 2</td>
<td>E</td>
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<td></td>
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<td></td>
<td>Addition of FEAC</td>
<td>O</td>
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<td></td>
<td></td>
<td>Addition in PROPOSED clarifies that administrators cannot participate on committees unless invited or by unit policy</td>
<td>C</td>
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<td></td>
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<td></td>
<td>CURRENT—page 13 Duplication</td>
<td>D</td>
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<td>CURRENT—page 14 Duplication</td>
<td>D</td>
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<tr>
<td>1131</td>
<td>8. 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.</td>
<td>8. To vote on applications for tenure before considering and voting on applications for promotion to associate professor and professor. In reviewing applications for assistant professor and tenure, vote on promotion before voting on tenure. [Assistant professor is required for tenure.]</td>
<td>CURRENT—pages 9, 10, and 12</td>
<td>M</td>
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<td>CURRENT—pages 10 and 11</td>
<td>O</td>
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<td></td>
<td>Moved to PROPOSED, block 47</td>
<td>E</td>
</tr>
<tr>
<td>1141</td>
<td>Faculty in Shared Positions</td>
<td>Justification of the decision by the committee shall be included in the recommendation and shall rest upon documented, verified information.</td>
<td>CURRENT—pages 10 and 11</td>
<td>E</td>
</tr>
<tr>
<td></td>
<td>1. Each faculty member in a shared appointment, who is on a tenure-track appointment, shall be considered for tenure and/or promotion independently of the other faculty member with whom they are sharing the position.</td>
<td>Each faculty member in a shared appointment, who is on a tenure-track appointment, shall be considered for tenure and/or promotion independently of the other faculty member with whom they are sharing the position.</td>
<td>CURRENT—page 4</td>
<td>O</td>
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<td></td>
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<td></td>
<td>CURRENT—page 4</td>
<td>NC</td>
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<td></td>
<td>2. Each faculty member in a tenure-track shared position shall be eligible for tenure after completing the standard probationary period required by EKU plus an additional two (2) years. Exceptions to this may be negotiated and documented in writing at the time of appointment.</td>
<td>Each faculty member in a tenure-track shared position shall be eligible for tenure after completing the standard probationary period required by EKU plus an additional two (2) years. Exceptions to this may be negotiated if the faculty member has had previous full-time service at EKU or another university.</td>
<td>CURRENT—page 5</td>
<td>O</td>
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<td>CURRENT—page 5</td>
<td>C</td>
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<td></td>
<td>3. The years of service requirement for a faculty member in a shared appointment who is seeking promotion to any of the ranks shall be the same as for a faculty member whose appointment is not shared, plus an additional two (2) years. Exceptions to this may be negotiated and documented in writing at the time of appointment.</td>
<td>The years of service requirement for a faculty member in a shared appointment who is seeking promotion to any of the ranks shall be the same as for a faculty member whose appointment is not shared, plus an additional two (2) years. Exceptions to this may be negotiated if the faculty member has previous full-time service at EKU or another university.</td>
<td>CURRENT—page 5</td>
<td>O</td>
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<td>CURRENT—page 5</td>
<td>C</td>
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<td></td>
<td>4. Evaluations of teaching, scholarly/creative activities, and service shall be conducted on a basis consistent with the percentage of each faculty member’s respective appointment, if part of a shared appointment.</td>
<td>Evaluations of teaching, scholarship, and service will be conducted on a basis consistent with the percentage of each faculty member’s respective appointment, if part of a shared appointment.</td>
<td>CURRENT—page 3</td>
<td>O</td>
</tr>
<tr>
<td>1191</td>
<td>Consideration of Library Faculty</td>
<td>1. The library faculty shall comprise their own academic unit and shall follow the procedures outlined in this policy accordingly.</td>
<td>Added to clarify consideration of library faculty</td>
<td>C</td>
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<td></td>
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<td></td>
<td>Added to clarify consideration of library faculty</td>
<td>C</td>
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<tr>
<td>1201</td>
<td>2. The library faculty ranks of Instructor Librarian, Assistant University Librarian, Associate University Librarian, and</td>
<td></td>
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</tbody>
</table>

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<tr>
<td>1203</td>
<td>University Librarian are analogous to those of Instructor, Assistant Professor, Associate Professor, and Professor, respectively.</td>
<td></td>
<td>Added to clarify consideration of library faculty</td>
<td>C</td>
</tr>
<tr>
<td>1271</td>
<td>3. For service on committees that require tenure, library faculty shall only be required to meet the equivalent rank.</td>
<td>Consideration of Faculty Holding Administrative Positions</td>
<td>A. All the procedures and guarantees outlined above for administrators holding faculty rank insofar as their academic faculty position or rank is concerned.</td>
<td>C</td>
</tr>
<tr>
<td>1221</td>
<td>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.</td>
<td>Consideration of Faculty Holding Administrative Positions</td>
<td>A. All the procedures and guarantees outlined above for faculty in administrative posts insofar as their academic faculty position or rank is concerned.</td>
<td>C</td>
</tr>
<tr>
<td>1231</td>
<td>2. Certain additional observations need to be made when procedures are applied to administrative faculty. These include the following:</td>
<td>Consideration of Faculty Holding Administrative Positions</td>
<td>B. Certain additional observations need to be made when the procedures are applied to administrative faculty. There are practical considerations of balancing administrative time against time served as a member of the faculty. These include the following:</td>
<td>C</td>
</tr>
<tr>
<td>1241</td>
<td>a. Administrators shall be judged by the same criteria as any other faculty. Teaching, scholarly/creative activities, and service standards shall meet the approval of the various committees and administrators.</td>
<td>Consideration of Faculty Holding Administrative Positions</td>
<td>b. 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. Administrative performance shall not substitute for any of these three areas.</td>
<td>C</td>
</tr>
<tr>
<td>1251</td>
<td>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</td>
<td>CURRENT—page 16</td>
<td>Sentence is unnecessary since the first sentence indicates administrators must meet established criteria</td>
<td>C</td>
</tr>
<tr>
<td>1261</td>
<td>(1) 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.</td>
<td>CURRENT—page 16</td>
<td></td>
<td>NC</td>
</tr>
<tr>
<td>1271</td>
<td>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 information.</td>
<td>4. Department committees may set additional requirements for documentation materials; however, all candidates will provide the committees with the materials listed below: a) Accurate factual data, which is to be provided by the chair of</td>
<td></td>
<td>D, U</td>
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</table>

**Updated February 2012**
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<tbody>
<tr>
<td>1275</td>
<td>and complete details of any potentially useful information. The candidate shall assemble the application as follows:</td>
<td>the department at the candidate’s request, as required by the application form.</td>
<td>As now required in PROPOSED, blocks 101 and 103</td>
<td>I</td>
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<td>1276</td>
<td>6</td>
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<td>1277</td>
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<td>1278</td>
<td>8</td>
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<tr>
<td>1281</td>
<td>a. A copy of the letter of intent to apply for tenure, promotion, or both</td>
<td></td>
<td>Will help evaluators understand what exceptions have been granted</td>
<td>I</td>
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<tr>
<td>1282</td>
<td>b. A copy of initial terms of appointment and, if applicable, any written, previously agreed-upon exceptions to the promotion and tenure policy</td>
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<td>1301</td>
<td>c. A copy of a current curriculum vita</td>
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<td>1311</td>
<td>d. Copies of non-tenure annual evaluation reports by evaluators</td>
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<td>1321</td>
<td>e. The self-evaluation on the appropriate University form</td>
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<td>1331</td>
<td>f. Supporting documentation</td>
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</tr>
<tr>
<td>1341</td>
<td>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):</td>
<td>In the category of teaching, the candidate should provide any potentially useful information, such as teaching philosophy, descriptions of unique methods or experiments, and attitudes toward evaluation of student work.</td>
<td>CURRENT—page 8</td>
<td>I, C</td>
</tr>
<tr>
<td>1351</td>
<td>o. Teaching</td>
<td>Transformed CURRENT into a bulleted list and added further examples</td>
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<td>1352</td>
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<td>1361</td>
<td>o. Scholarly/Creative Activity</td>
<td>In the category of scholarly and/or creative achievements, the candidate should provide accurate and complete details of works published, papers or other presentations, creative performances, exhibitions, grants/contracts awarded, and professional organizations.</td>
<td>CURRENT—page 8</td>
<td>I, C</td>
</tr>
<tr>
<td>1371</td>
<td>o. Service</td>
<td>In the category of service, the candidate should provide complete details, including documentation, if available, of service to the University, professional and/or community organizations.</td>
<td>CURRENT—page 8</td>
<td>I, C</td>
</tr>
<tr>
<td>1381</td>
<td>3. The candidate shall submit an application and supporting materials for tenure and/or promotion to the Department Chair, who has the responsibility to review the Faculty Handbook for university policies</td>
<td></td>
<td>CURRENT—page 7</td>
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<td>1382</td>
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Updated February 2012
## Comparison between Proposed 4.6.4 and Current 4.6.4

Note: strikeout = deletion of text; underline = addition of text; red = similar wording/concept; [ ] = wording that has been moved

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<tr>
<td>1383</td>
<td>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.</td>
<td>on these matters. It is also the candidates’ responsibility to provide the department committee with materials listed. The committee is not responsible for collecting these materials. In the process of being reviewed for promotion or tenure, the candidates necessarily must allow their professional materials to be open to their peers on the various promotion and tenure committees.</td>
<td></td>
<td>C</td>
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<tr>
<td>1391</td>
<td>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.</td>
<td>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.</td>
<td>CURRENT—page 8</td>
<td>C</td>
</tr>
<tr>
<td>1401</td>
<td>2. The department committee shall consider the candidate’s application and the following:</td>
<td>a. To assemble material to accompany the committee’s recommendations. These materials shall include the following:</td>
<td>CURRENT—page 10</td>
<td>C</td>
</tr>
<tr>
<td>1411</td>
<td>a. formal student evaluations;</td>
<td>(1) material presented by the candidate;</td>
<td>CURRENT—page 10 (Unnecessary because of PROPOSED, block 138)</td>
<td>U</td>
</tr>
<tr>
<td>1421</td>
<td>b. department’s 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);</td>
<td>(3) formal student evaluations;</td>
<td>CURRENT—page 10</td>
<td>NC</td>
</tr>
<tr>
<td>1431</td>
<td>(4) department’s systematic method of assessing teaching performance In addition to student opinion of instruction, each department shall use a 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 the department merit pay policy;</td>
<td>CURRENT—page 10</td>
<td>C</td>
<td></td>
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<tr>
<td>1441</td>
<td></td>
<td>(5) results of nontenured evaluations;</td>
<td>CURRENT—page 10 Now in PROPOSED, block 131</td>
<td>O</td>
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<tr>
<td>1451</td>
<td>c. data provided by the Department Chair.</td>
<td>(6) data and opinions provided by the chair of the department.</td>
<td>CURRENT—page 10</td>
<td>C, E</td>
</tr>
<tr>
<td>1461</td>
<td>3. The department may also consider as part of the application the following:</td>
<td></td>
<td>C</td>
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<td>1471</td>
<td>a. Mandated external review;</td>
<td>14. Departments may mandate external review for promotion and tenure if they so choose and are approved by their college P&amp;T Committee.</td>
<td>CURRENT—page 2</td>
<td>O, E, C</td>
</tr>
<tr>
<td>1481</td>
<td>b. peer opinions (not limited to committee members) but not anonymous opinions;</td>
<td>(2) peer opinions (not limited to committee members) but not anonymous opinions;</td>
<td>CURRENT—page 10</td>
<td>NC O</td>
</tr>
<tr>
<td>1491</td>
<td>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 promotion, tenure, 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.</td>
<td>1. To compose the evaluation narrative using the material above and to ensure that unsubstantiated information or information sets that lack documentation are not used as part of the decision process at the department level.</td>
<td>CURRENT—page 10</td>
<td>D,C</td>
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<td>1497</td>
<td>committee. The application, the written recommendation, and the signed form(s) shall be submitted to the Department Chair. Members of the committee shall sign the form, indicating the accuracy of the report as it was approved by the majority of the committee; h. To complete and forward to the department chair all promotion and tenure application forms and the committee’s evaluation and recommendation forms for all candidates. g. To submit to the department chair the committee recommendation with appropriate documentation and required forms as follows:</td>
<td>1. Upon receipt of the committee’s recommendation form and the individual application file, the chair shall review the entire set of material and write a separate recommendation regarding the promotion or tenure. Based upon the application, supporting materials, the committee’s evaluation narrative, and other relevant information. 1. (1) If the department chair does not agree with the recommendation of the committee, he or she shall so indicate in the recommendation form and submit in an addendum a justification for the differing judgment.</td>
<td>CURRENT—page 11  Combined two sections in CURRENT into lines 7-8 (this block) in PROPOSED  CURRENT—page 10</td>
<td>M, E</td>
</tr>
<tr>
<td>1501</td>
<td>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 the promotion and/or tenure.</td>
<td>1. Upon receipt of the committee’s recommendation form and the individual application file, the chair shall review the entire set of material and write a separate recommendation regarding the promotion or tenure. Based upon the application, supporting materials, the committee’s evaluation narrative, and other relevant information. 1. (1) If the department chair does not agree with the recommendation of the committee, he or she shall so indicate in the recommendation form and submit in an addendum a justification for the differing judgment.</td>
<td>CURRENT—page 9  Duplicative  CURRENT—page 10</td>
<td>D, C</td>
</tr>
<tr>
<td>1511</td>
<td>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.</td>
<td>See CURRENT, block 12</td>
<td></td>
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<td>1521</td>
<td>3. The Department Chair and the chair of the department committee shall meet and 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.</td>
<td>2. The department chair, together with the chair of the department committee, shall review the recommendation of the department chair and the recommendation of the committee with the candidate, provide the candidate with a copy of the report (and all addenda), and secure the candidate’s signed receipt.</td>
<td>CURRENT—page 10</td>
<td>E, C</td>
</tr>
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<td>1531</td>
<td>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).</td>
<td>1. The candidate may request reconsideration of the decision of the department committee, the department chair, or both by submitting a written notification to the department chair, with a copy to the Dean of the college, within five days of notification by the department chair of the decision. The request shall detail grounds for reconsideration and shall include relevant evidence. Reconsiderations now occur only at the department level in PROPOSED</td>
<td>CURRENT—page 13</td>
<td>E, S</td>
</tr>
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<td>1541</td>
<td>5. The department committee, the Department Chair, or both shall reconsider the candidate’s application provided 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.</td>
<td>2. The committee, the department chair, or both shall reconsider the recommendation in light of the information provided in the statement of the candidate. The committee, the department chair, or both shall consider any new information provided, shall meet with the candidate, and shall record the confirmed or revised recommendation.</td>
<td>CURRENT—page 13</td>
<td>E, S</td>
</tr>
<tr>
<td>1551</td>
<td>6. The candidate shall be notified in writing by the Department Chair of the results of reconsideration by the Department Chair, the</td>
<td>3. The candidate shall be notified by the department chair of the results of the reconsideration in sufficient time to provide the</td>
<td>CURRENT—page 13  See block 12</td>
<td>E</td>
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Updated February 2012
### Comparison between Proposed 4.6.4 and Current 4.6.4

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<td>1553</td>
<td>department committee, or both.</td>
<td>candidate an opportunity to request an appeal. Decisions on the reconsiderations shall be processed in the same manner as uncontested decisions—through the department chair to the college Dean.</td>
<td>The appeals process has changed in the PROPOSED policy (see block 173 and following)</td>
<td>S</td>
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<tr>
<td>1561</td>
<td>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.</td>
<td>4. The department chair shall present all positive, divided, and appealed recommendations pertaining to promotion and all recommendations on tenure to the Dean no later than December 1.</td>
<td>CURRENT—page 10</td>
<td>E, C</td>
</tr>
<tr>
<td>1571</td>
<td>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.</td>
<td>3. The department chair shall remind the candidate, as appropriate, of procedures of the appeal process, such as explaining previous steps and due dates. Also remind candidate, as appropriate of procedures for review of negative recommendations for tenure.</td>
<td>CURRENT—page 10</td>
<td>Contradicts the candidate’s responsibility</td>
</tr>
<tr>
<td>1581</td>
<td>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.</td>
<td>4. To see that the appropriate professional interpretation for the discipline has been applied.</td>
<td>CURRENT—page 9</td>
<td>C</td>
</tr>
<tr>
<td>1591</td>
<td>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.</td>
<td>The Dean shall arrange for the department chair or the chair of the department promotion and tenure committee to meet with the college promotion and tenure committee as necessary.</td>
<td>CURRENT—page 8</td>
<td>Shifts from Dean to college committee</td>
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<td>1601</td>
<td>3. The voting members of the committee shall complete the appropriate recommendation form(s) for promotion, tenure, 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.</td>
<td>8. To ensure that unsubstantiated information or material that lacks documentation is not used as part of the decision-making process at this level. 1) The voting members of the committee shall complete the appropriate forms for recommendation for promotion or tenure and provide any necessary addenda. Members of the committee shall sign the form, indicating the accuracy of the report as it was approved by the majority of the committee. 2) To submit the committee’s recommendation with appropriate documentation and required forms to the college Dean. 3) The chair of the college committee shall formally inform the Dean of the college of the decision of the committee.</td>
<td>CURRENT—page 9</td>
<td>Duplication (covered in PROPOSED, block 5)</td>
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<td>Adds explicit direction if the recommendations differ</td>
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<td>Combined two sections in CURRENT into lines 8-9 (this block) in PROPOSED</td>
<td>E</td>
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<tr>
<td>1611</td>
<td>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 the promotion and/or tenure. 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</td>
<td>1. Upon receipt of the committee’s recommendation form and the individual application file, the Dean shall review the entire set of material and write a separate recommendation regarding the promotion or tenure. 2. The Dean may meet with the Provost or the chair of the university committee in response to their request or the Dean may initiate such a request for meeting.</td>
<td>CURRENT—page 8</td>
<td>Reworded to mirror the language for the department chair</td>
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Updated February 2012
# Comparison between Proposed 4.6.4 and Current 4.6.4

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<td>1618</td>
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<td>(1) If the college Dean does not agree with the recommendation of the committee, he or she shall so indicate on the recommendation form and submit an addendum a justification for the differing judgment.</td>
<td>CURRENT—page 8</td>
<td>C,E</td>
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<td></td>
<td></td>
<td>(2) Justification of the decision of the Dean shall rest upon documented, verifiable information and shall be presented to the committee and the candidate.</td>
<td>CURRENT—page 8</td>
<td>D</td>
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<tr>
<td>1621</td>
<td></td>
<td>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 letter to the Dean, with a copy to the Department Chair, requesting that the review process continue.</td>
<td>CURRENT—page 8 (See block 12) Editorial regarding written notification. Changed the process for promotion. This change is philosophically similar to the CURRENT policy. The PROPOSED process still gives the candidate the ability to move the process forward in the event of a negative recommendation but without having to use an appeal process.</td>
<td>E, S</td>
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<tr>
<td>1631</td>
<td></td>
<td>2. The Dean shall inform the candidate of the decisions by the college committee and the Dean in time to provide the candidate with the opportunity to request a reconsideration or appeal.</td>
<td>CURRENT—page 8 (See block 12) Editorial regarding the process for forwarding to the Provost</td>
<td>E</td>
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<td></td>
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<td>3. The recommendation and application materials (per university guidelines) shall then be forwarded to the Provost.</td>
<td>CURRENT—page 8</td>
<td>E</td>
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<tr>
<td>1641</td>
<td></td>
<td>3. The Dean shall forward positive, divided, and appealed recommendations pertaining to promotion and all recommendations on tenure to the Provost, with copies of the recommendation from the college (and addenda) to the candidate, the chair of the college committee and the department chair no later than February 15.</td>
<td>CURRENT—page 8</td>
<td>E</td>
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<tr>
<td>1651</td>
<td></td>
<td>In the case of a negative recommendation, the Dean shall remind the candidate of procedures for appeal</td>
<td>CURRENT—page 8</td>
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## University Review

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<td>1661</td>
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<td>1. Having determined that the appropriate procedures have been followed, the Provost shall review the individual application file, accompanying documentation, and addenda to determine whether the application should be supported. This decision shall be based upon documented and verifiable information and shall be presented to the University for promotion or tenure.</td>
<td>CURRENT—page 11</td>
<td>E, C</td>
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<td></td>
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<td>(1) That the candidate meets the basic requirements of the University for promotion or tenure</td>
<td>CURRENT—page 12</td>
<td>D</td>
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<td>1671</td>
<td></td>
<td>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 the promotion and/or tenure. 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.</td>
<td>CURRENT—page 11</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. It is the responsibility of the Provost to arrange for the department chair or the chair of the department promotion and tenure committee, the Dean or the chair of the college promotion and tenure committee to meet with the University Promotion and Tenure Committee as necessary.</td>
<td>CURRENT—page 11</td>
<td>C</td>
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<tr>
<td>1681</td>
<td></td>
<td>3. The Provost shall notify the candidate in writing of the recommendation, with justification for the recommendation.</td>
<td>CURRENT—page 11</td>
<td>E</td>
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<tr>
<td></td>
<td></td>
<td>3. If the Provost does not concur with the recommendation of the University Promotion and Tenure Committee, the basis for the disagreement shall be indicated in writing.</td>
<td>CURRENT—page 11</td>
<td>E</td>
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| 1664  | 2. If the Provost agrees with the recommendation of the University Promotion and Tenure Committee, the Provost shall sign the recommendation form and indicate agreement.  
4. The Provost shall ensure that the candidate shall be notified in time to provide the candidate with the opportunity to request a reconsideration or appeal. Where a negative recommendation is given, the Provost shall meet the candidate in person to remind the candidate, as appropriate, of appeal procedures and to secure the candidate's signature on a dated form indicating receipt of relevant reports. | University P & T Committee  
Reconsideration and appeal processes are different in the PROPOSED policy (see block 166 below)  
Contradicts the candidate’s responsibility | S  
C |
| 1665  | 4. No later than March 15, the Provost shall submit all recommendations to the President of the University. | CURRENT—page 11  
Under the CURRENT policy, candidates for tenure or promotion may request a reconsideration and file an appeal at every level (department, college, and university). This process can be very lengthy and emotionally draining for the candidate. The current appeals process involves appealing to persons already in the decision-making process and provides no guidance for grounds for appeal. | E |
| 1701  | E. The department shall establish procedures for the expeditious handling of reconsiderations and appeals.  
1) If the candidate determines that the decision should be statement appealing the decision to the Dean of the college, with appealed, within five days he or she shall submit a formal copy to the department chair. The statement shall detail the grounds for the appeal and shall include relevant evidence.  
2) The committee, the college Dean, or both shall reconsider the recommendation in light of the information provided in the request of the candidate. The committee, the college Dean, or both shall then submit a recommendation to the Provost. | CURRENT—page 13  
Under the CURRENT policy, candidates for tenure or promotion may request a reconsideration and file an appeal at every level (department, college, and university). This process can be very lengthy and emotionally draining for the candidate. The current appeals process involves appealing to persons already in the decision-making process and provides no guidance for grounds for appeal. | S |
| 1711  | D. Each college shall establish procedures for the expeditious handling of reconsiderations and appeals.  
1) The candidate may request reconsideration of the decision of the college committee, the college Dean, or both by submitting a written request to the chair of the committee and college Dean, with a copy to the Provost and Vice President for Academic Affairs, within five days of notification of the decision by the college Dean. The request shall detail grounds for reconsideration and shall include relevant evidence.  
2) The committee, the college Dean, or both shall reconsider the recommendation in light of the information provided in the request of the candidate. The committee, the college Dean, or both shall then submit a recommendation to the Provost. | CURRENT—page 14  
CURRENT—page 15  
The PROPOSED policy keeps reconsiderations at the department level, which allows candidates to submit additional materials to clarify their | S  
S |
## Comparison between Proposed 4.6.4 and Current 4.6.4

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|       | college Dean, or both shall consider any new information provided, shall meet with the candidate, and shall record the confirmed or revised recommendation.  
3) Decisions on the reconsiderations shall be processed in the same manner as uncontested decisions—through the college Dean to the Provost. The candidate shall be notified by the college Dean of the results of the reconsideration in time to provide the candidate with the opportunity to request an appeal.  
4) If the candidate determines that the decision should be appealed, within five days he or she must submit a formal statement of appeal to the chair of the University Promotion and Tenure Committee, with a copy to the departmental college Dean and to the Provost and Vice President for Academic Affairs. The statement shall detail the grounds for the appeal and shall include relevant evidence.  
5) The Provost shall present the appealed recommendation with the statement of appeal to the University Promotion and Tenure Committee along with other recommendations from within the University. | applications and honors the principle that departments shall have the primary responsibility for evaluating candidates. By moving an appeal toward the end of the process, a candidate will have a greater sense of the final recommendation; in other words, it will no longer be necessary to appeal a recommendation that may have a different outcome at the next level or to appeal in order to move an application forward. Having specified grounds for appeal (which are still somewhat broad) will give the candidate and the appeals committee guidance for handling an appeal. Finally, an appeals committee will enable a true appeal to persons outside the normal decision-making process. | S |

6. Reconsideration and appeal procedures shall be provided at the university level also.  
1) During the reconsideration and appeals, the Committee reserves the right to request the presence and response of a department chair, college Dean, or representative of any committee involved in the original decision.  
3) The candidate may request reconsideration of the decision of the University Committee, the Provost, or both by submitting a written request to the chair of the Committee or to the Provost, with a copy to the President of the University, within five days of notification by the Provost of the decision. The request shall detail grounds for reconsideration and shall include all relevant evidence not previously presented.  
3) The Committee, the Provost, or both shall reconsider the recommendation in light of the new information provided in the request of the candidate, shall meet with the candidate, and shall record the confirmed or revised recommendation.  
4) Decisions on reconsiderations shall be processed in the same manner as uncontested decisions through the | Change in reconsideration and appeals process | S |

Updated February 2012
### Comparison between Proposed 4.6.4 and Current 4.6.4

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#### BLOCK 1722

1. Following notification of the Provost’s negative recommendation, the candidate may appeal to the President, who shall convene 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

#### BLOCK 1731

1. Following notification of the Provost’s negative recommendation, the candidate may appeal to the President, who shall convene 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

#### BLOCK 1741

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.

#### BLOCK 1751

3. The President shall convene the FEAC to review the appeal.

#### BLOCK 1761

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.

#### BLOCK 1771

5. The President shall make a decision on the appeal within fourteen (14) calendar days of receiving the findings and recommendations of the FEAC, except in extenuating circumstances.

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Appeals Process

1. Following notification of the Provost’s negative recommendation, the candidate may appeal to the President, who shall convene 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.

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5. The President shall make a decision on the appeal within fourteen (14) calendar days of receiving the findings and recommendations of the FEAC, except in extenuating circumstances.

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<tr>
<td>1774</td>
<td>Possible actions by the President could include, but are not limited to:</td>
<td></td>
<td>Findings, and making recommendations.</td>
<td></td>
</tr>
<tr>
<td>1775</td>
<td>a. Upholding the recommendation of the lower level(s)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1776</td>
<td>b. Reversing the recommendation of the lower level(s)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1777</td>
<td>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.</td>
<td></td>
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</tbody>
</table>

**Definitions:**

**Calendar Day**

Throughout this document every 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 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 departmental, college, and university goals; and to work productively with faculty, students, and staff. Collegiality should not be confused with sociability or...
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<tr>
<td>1867</td>
<td>likability but rather is the professional criterion relating to teaching, service, and scholarly/creative activities.</td>
<td></td>
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</tr>
<tr>
<td>1871</td>
<td>Confidentiality</td>
<td>Needed to define this term</td>
<td>C</td>
</tr>
<tr>
<td>1881</td>
<td>Full-time Tenure-Track Faculty</td>
<td>Full-time Teaching Faculty</td>
<td>CURRENT—page 7</td>
</tr>
<tr>
<td>1881</td>
<td>Faculty employed full-time who are tenured, eligible for tenure, or in a pre-tenure probationary period.</td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>1891</td>
<td>Notification</td>
<td>Needed to define this term</td>
<td>C</td>
</tr>
<tr>
<td>1901</td>
<td>Terminal Appointment</td>
<td>Determined this definition is unnecessary</td>
<td>U</td>
</tr>
<tr>
<td>1911</td>
<td>Terminal Degree</td>
<td></td>
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</tr>
<tr>
<td>1912</td>
<td>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.).</td>
<td>Terminal Degree The terminal degree is generally, for teaching purposes, the highest academic degree awarded in a field. In most cases, 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.). On rare occasions, the terminal degree may be a bachelor’s degree in the field. A distinction is made here between a terminal degree appropriate for teaching in higher education and a degree appropriate for autonomous practice outside the academy.</td>
<td>CURRENT—page 7</td>
</tr>
<tr>
<td>1931</td>
<td>University</td>
<td>University Eastern Kentucky University</td>
<td>CURRENT—page 7</td>
</tr>
<tr>
<td>1941</td>
<td>Board of Regents • The Board of Regents shall have the final approval authority for tenure and promotion.</td>
<td>Board of Regents The Board of Regents shall have final approval authority for all tenure and promotion recommendations.</td>
<td>CURRENT—page 7</td>
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<td>1951</td>
<td>Candidate</td>
<td>Candidate</td>
<td>CURRENT—page 7</td>
<td>M</td>
</tr>
<tr>
<td>2</td>
<td>• The candidate for tenure/promotion is responsible for knowing and adhering to the principles and criteria set forth in this policy.</td>
<td>• The candidate for tenure/promotion is responsible for knowing and adhering to the principles and criteria set forth in this policy.</td>
<td></td>
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<tr>
<td>3</td>
<td>• 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.</td>
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<tr>
<td>6</td>
<td>1961 College Dean</td>
<td>College Dean</td>
<td>CURRENT—page 8</td>
<td>E</td>
</tr>
<tr>
<td>2</td>
<td>At a minimum, the Dean is responsible for:</td>
<td>The role of the college Dean may vary considerably among the colleges in the University. At a minimum, however, the Dean shall fulfill the following responsibilities:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>• providing the committee with such documentation and data as policy and committee needs require.</td>
<td>3. The Dean shall provide the committee with such documentation and data as policy and committee needs require.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>• informing the Department Chairs of the need to review each person eligible for tenure.</td>
<td>It is the responsibility of the Dean of the college to inform the department chairs of the need to review each person eligible for tenure.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>• ensuring that each department reviews and revises, as needed, departmental-level criteria for promotion and tenure at least every five years.</td>
<td>At least every five years the Dean shall ensure that each department reviews and revises as needed departmental-level criteria for promotion and tenure.</td>
<td></td>
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</tr>
<tr>
<td>1971</td>
<td>College Committee</td>
<td>Each college promotion and tenure committee is responsible for ensuring that the appropriate professional interpretation for the discipline has been applied.</td>
<td>CURRENT—page 9</td>
<td>E</td>
</tr>
<tr>
<td>2</td>
<td>• Each college promotion and tenure committee is responsible for ensuring that the appropriate professional interpretation for the discipline has been applied.</td>
<td>a. To see that the appropriate professional interpretation for the discipline has been applied.</td>
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<tr>
<td>1981</td>
<td>Department Chair</td>
<td>Department Chair</td>
<td>CURRENT—page 9</td>
<td>E</td>
</tr>
<tr>
<td>2</td>
<td>At a minimum, the Chair is responsible for:</td>
<td>The role of the department chair may vary considerably among the departments in the University. At a minimum, however, the chair shall fulfill the following responsibilities:</td>
<td></td>
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<tr>
<td>3</td>
<td>• verifying eligibility of candidates for tenure and/or promotion</td>
<td>• Provide the committee with such documentation and data as department policy and committee needs require.</td>
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<tr>
<td>5</td>
<td>• providing the department committee with such documentation and data as policy and committee needs require.</td>
<td>• It is the responsibility of the department chair to inform the department promotion and tenure committee of the need to review each person eligible for tenure.</td>
<td></td>
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<tr>
<td>7</td>
<td>• informing the department promotion and tenure committee of the need to review each person eligible for tenure.</td>
<td>• It is the responsibility of the chair to inform the faculty of policies, procedures, and criteria for promotion.</td>
<td></td>
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<tr>
<td>9</td>
<td>• informing the faculty of policies, procedures, and criteria for tenure and promotion.</td>
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<tr>
<td>1991</td>
<td>Department Committee</td>
<td>Department Committee</td>
<td>CURRENT—page 10</td>
<td>E</td>
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<tr>
<td>2</td>
<td>• Each department committee shall be responsible for providing the appropriate professional interpretations for the discipline.</td>
<td>• To provide the appropriate professional interpretations for the discipline.</td>
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<tr>
<td>2001</td>
<td>The Faculty Evaluation Appeals Committee is responsible for:</td>
<td>Added to explain the responsibilities of the new FEAC</td>
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<td>- ensuring appeals are reviewed only on the grounds stated in this policy.</td>
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<td>- reviewing the appeal and the evidence submitted by the candidate.</td>
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<td></td>
<td>- submitting findings and recommendations to the President.</td>
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<tr>
<td>2021</td>
<td>The Provost is responsible for:</td>
<td>The Provost shall have the following responsibilities in matters relating to promotion and tenure.</td>
<td>CURRENT—page 12</td>
<td>E, C</td>
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<tr>
<td></td>
<td>- 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 or thereafter.</td>
<td>1. The Provost shall ensure that Deans and chairs supervise the establishment of written criteria for promotion and tenure and that these criteria are consistent with University policy.</td>
<td></td>
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<td></td>
<td>- ensuring that Deans and chairs supervise the establishment of written criteria for promotion and tenure and that these criteria are consistent with University policy.</td>
<td>2. At least every five years, the Provost shall ensure that each college and department reviews and revises as needed college- and departmental-level criteria for promotion and tenure.</td>
<td>CURRENT—page 11</td>
<td>E, C</td>
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<tr>
<td></td>
<td></td>
<td>3. Ensure that new faculty members receive at the time of their appointment the criteria for promotion and tenure.</td>
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<td></td>
<td></td>
<td>Regarding the University Promotion and Tenure Committee</td>
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<tr>
<td></td>
<td>1. It is the responsibility of the Provost to arrange for the election of members and alternates of the University Promotion and Tenure Committee.</td>
<td>1. It is the responsibility of the Provost to arrange for the election of members and alternates of the University Promotion and Tenure Committee.</td>
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<td></td>
<td>2. It is the responsibility of the Provost to ensure that the membership of the University Promotion and Tenure Committee does not pose a conflict of interest in evaluating and voting upon applicants. If such a conflict exists, the Provost shall arrange for an elected alternate.</td>
<td>2. It is the responsibility of the Provost to ensure that the membership of the University Promotion and Tenure Committee does not pose a conflict of interest in evaluating and voting upon applicants. If such a conflict exists, the Provost shall arrange for an elected alternate.</td>
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<td>3. To review the procedure to ensure that in every case the process followed was consistent with university policies and the policies of the various colleges and departments.</td>
<td>3. To review the procedure to ensure that in every case the process followed was consistent with university policies and the policies of the various colleges and departments.</td>
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<tr>
<td>2021</td>
<td>ESTABLISHING PROCEDURES AND THE COMMITTEE.</td>
<td>The PROPOSED policy eliminates the University Promotion and Tenure Committee</td>
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<tr>
<td></td>
<td>A. The Provost and the University Promotion and Tenure Committee shall develop written guidelines for the committee's promotion and tenure procedures to include at least the following:</td>
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<td></td>
<td>(1) The ways that established university criteria are to be applied.</td>
<td></td>
<td>CURRENT—page 15</td>
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<tr>
<td></td>
<td>(2) Clear definitions of responsibility for the university committee and for the Provost.</td>
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<td>20210</td>
<td>B. Guidelines developed by the Provost and the University Committee on Promotion and Tenure shall provide for independence of decision making by the Committee and the Provost, while ensuring that the candidates receive full consideration at every point.</td>
<td>U</td>
<td>S</td>
<td></td>
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<tr>
<td>11</td>
<td>(1) Neither the Provost nor a Dean nor department chair shall serve as a voting member on the Committee.</td>
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<tr>
<td>12</td>
<td>(2) If a member or the immediate family of a member of this Committee is being considered for promotion or tenure, the Committee member may not serve during those deliberations. The Committee procedures shall provide for the selection of an alternate, if needed.</td>
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<tr>
<td>22</td>
<td>C. The procedures of the University Promotion and Tenure Committee shall be set forth in writing by the members of the Committee and filed in the Office of the President of the University, with copies to the offices of the Provost, the Deans of colleges, and all academic departments.</td>
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<tr>
<td>23</td>
<td>(1) The University Promotion and Tenure Committee shall consist of two tenured full-time faculty from different departments representing each college.</td>
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</tr>
<tr>
<td>24</td>
<td>a. Each college shall devise its own method for electing a representative from the tenured teaching faculty (excluding chairs) to serve on the University Promotion and Tenure Committee. This representative—as well as a first alternate and a second alternate—shall be elected no later than May of the year preceding the academic year in which the Committee is to serve. The representative and alternates shall hold the rank of professor (or the highest rank available).</td>
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<tr>
<td>25</td>
<td>b. The faculty representatives shall serve for staggered terms of two years. Any member may be selected for two consecutive terms. Committee is being considered for promotion or tenure, the Committee member may not serve during those deliberations. The Committee procedures shall provide for the selection of an alternate, if needed.</td>
<td></td>
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<tr>
<td>26</td>
<td>C. The procedures of the University Promotion and Tenure Committee shall be set forth in writing by the members of the Committee and filed in the Office of the President of the University, with copies to the offices of the Provost, the Deans of colleges, and all academic departments.</td>
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<td>27</td>
<td>(1) The University Promotion and Tenure Committee shall consist of two tenured full-time faculty from different departments representing each college.</td>
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<td>20253</td>
<td>a. Each college shall devise its own method for electing a representative from the tenured teaching faculty (excluding chairs) to serve on the University Promotion and Tenure Committee. This representative—as well as a first alternate and a second alternate—shall be elected no later than May of the year preceding the academic year in which the Committee is to serve. The representative and alternates shall hold the rank of professor (or the highest rank available).</td>
<td>CURRENT—page 16</td>
<td></td>
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<tr>
<td>20318</td>
<td>b. The faculty representatives shall serve for staggered terms of two years. Any member may be selected for two consecutive terms.</td>
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<tr>
<td>20318</td>
<td>c. In the event the elected representative from a college cannot serve or complete the term, the first alternate shall complete the two-year term. If the first alternate also cannot serve, then the second alternate shall complete the two-year term. An exception to this general rule would involve the representative's submission of an application for promotion. In this case, the alternate shall serve for that year only.</td>
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<tr>
<td>20318</td>
<td>The voting members of the Committee shall complete their portion of the appropriate university recommendation forms for promotion and tenure and provide any necessary addenda. Members shall sign the forms to indicate the accuracy of the report as it was approved by majority vote. (3) Committee recommendations on promotion and tenure shall be based upon secret ballot and majority vote. A tie vote shall be considered a negative recommendation.</td>
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<tr>
<td>20318</td>
<td>D. Having determined that the appropriate procedures have been followed, the Provost shall review the individual application file, accompanying documentation, and addenda to determine whether the application should be supported. This decision shall be based upon documented and verifiable data contained in the file. See Provost Responsibilities for specific recommendation actions.</td>
<td>CURRENT—page 12</td>
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<tr>
<td>20318</td>
<td>Responsibilities: University P&amp;T Committee</td>
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<tr>
<td>20318</td>
<td>a. To review the applications to ensure the following: (3) That the appropriate review of the candidate's qualifications has been made by those professionally able to do so and that these reviews have been documented appropriately.</td>
<td>U</td>
<td></td>
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<tr>
<td>20318</td>
<td>b. To review appeals and divided recommendations in light of the above factors and the supporting material submitted on behalf of the parties involved.</td>
<td>S</td>
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</tr>
<tr>
<td>20318</td>
<td>c. To determine whether the candidate's application should be approved based upon the above reviews.</td>
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<td>The chair of the committee shall notify the Provost of the decision of the committee.</td>
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| 2041  | 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. |  |  |  |
| 2051  | The procedure for amending this promotion and tenure document is as follows:  
A. A written request to amend the document is to be submitted to a member of the Faculty Senate.  
B. The member of the Faculty Senate is to submit the amendment to the Faculty Senate.  
C. If the proposed amendment is approved by the Faculty Senate, it proceeds through the appropriate channels for approval by the Board of Regents.  
The time for completion of the acceptance or rejection of the proposed amendment shall not exceed one calendar year from the initial proposal to the Faculty Senate. | CURRENT—page 16  
Unnecessary in light of the Policy on Policies | U |
Insubordination

The term insubordination as a cause for termination has been interpreted to mean a willful disregard of express or implied directions which the employer has a right to give, or such a defiant attitude as to be its equivalent.

In Sinnott v. Skagit Valley College (1987), William Sinnott, a tenured welding professor, was dismissed for insubordination. One of the charges against Sinnott related to his repeated criticism of his colleagues, both in private and in public. Prior to Sinnott’s dismissal, a college administrator had written Sinnott warning him about his repeated attempts to discredit other instructors in the department. The letter stated that these efforts were “nearing, or may have even reached, a level that is sufficiently unprofessional to warrant disciplinary action.” Despite multiple warnings, Sinnott continued his criticism and finally conducted a press interview, in which he criticized the standards of his colleagues and their educational backgrounds.

After Sinnott refused to agree that he would no longer make such comments, the college dismissed him. Sinnott challenged the dismissal in court.

Several instructors testified that they did not get along with Sinnott and in fact had left the department because of his abrasive comments. After reviewing all the evidence, the court determined there was sufficient evidence to support Sinnott’s dismissal for insubordination.

Collegiality

Collegiality, along with civility and respect, vitally affect the performance of professors and enhance relationships with colleagues and students. Without collegiality, serious fractious relationships can develop that if unchecked, can cause serious harm to the department, its faculty, and its students and can potentially expose the college to legal liability.
TENURE REVIEW

...
Chapter V

COLLEGIALLY AND FACULTY DECISIONS

1. Overview

In the past decade, colleges, universities, and courts have begun to recognize the validity of collegiality, and its significance in tenure and dismissal decisions. Collegiality and respect affect the way that colleagues communicate with one another and impact interpersonal relations among faculty members and the overall work environment. A professor's ability to interact and cooperate with colleagues and students has a significant influence on the professor's performance as a teacher and scholar. These concerns are all encompassed under the term *collegiality*.

Colleges and universities have begun citing collegiality with increasing frequency as a factor in making tenure decisions and courts have consistently upheld these decisions. However, unanswered questions and controversy exist in the collegiality debate. For instance, should the ability to socialize and get along with others be a requirement for tenure and should this ability be allowed to reflect on the candidate's scholarship, teaching, and
COLLEGIATEITY AND ITS DEVELOPMENT

II. APPLICATION

Decision used in promotion and tenure decisions.

This chapter will analyze the influence of collegiateity as a

Determinants

even be considered in assessing a candidate's professional
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The association of view that a faculty member is an autonomous entity whose professional competence is reflected in the faculty member's performance of academic duties. The faculty member's performance is evaluated through peer review, student evaluations, and internal audits. The academic senate, through its committees, is responsible for the faculty member's professional development and performance. The Department of Economics is responsible for the faculty member's professional development and performance.

The requirement of service in the college to the community is considered an essential aspect of the faculty member's professional responsibilities, and it is expected that the faculty member will engage in community service activities. The college recognizes that the faculty member's professional development and performance are influenced by the faculty member's involvement in community service activities. The college encourages the faculty member to participate in community service activities that are related to their field of expertise.

In the context of service, the role of the Department of Economics is to provide support and resources to the faculty member to facilitate their involvement in community service activities. The Department of Economics will work closely with the faculty member to identify appropriate community service opportunities and to provide support and resources to facilitate their involvement.

A. Colleagiality and Faculty Decisions

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Certainly a college or university is a community of scholars. The social contract in the deeper and more serious relationships between students and instructors, the social contract between students and their own academic communities, and the social contract between students and their peers are all critical to the success of the educational process. The social contract is an essential component of the educational institution, and it is necessary for the maintenance of the educational community. The social contract is a dynamic relationship, as the nature of the relationship changes over time. A clear understanding of the social contract is necessary for the success of the educational institution.

The AVUP is a professional body that represents the interests of college faculty. The AVUP is concerned with the welfare of college faculty and the academic environment in which they work. The AVUP is a professional organization that provides resources and support to college faculty. The AVUP is a community of scholars who work together to improve the educational environment and the academic community.
Breach of Contract

Collegiality in Employment Decisions

EMPLOYMENT DECISIONS COLLEGIALLY
peers expressed concerns about the ability to work constructively. Yale Law School was the first to adopt a policy of employment decisions based on sex, religious, and political beliefs. In many cases, the university’s determination of faculty and staff was based on sex, religious, and political beliefs. After finding a grievance with the appropriate university board, the decision was upheld.

Academic Freedom

Tenure decisions... decisions. In other words, the university’s determination of faculty and staff was based on sex, religious, and political beliefs. After finding a grievance with the appropriate university board, the decision was upheld.

Discrimination

At the University of Florida, a professor of management was fired because of his religiosity. The university’s determination of faculty and staff was based on sex, religious, and political beliefs. After finding a grievance with the appropriate university board, the decision was upheld.

Other criteria voice concerns that collegiality may be a

Faculty and Employment Decisions

A collegiality in employment decisions
III. PREVENTIVE MEASURES

The prevention of academic freedom violations, which can lead to discrimination and/or harassment, is an essential aspect of the academic environment. This section outlines measures and strategies that can be implemented to prevent such violations.

1. Training and Awareness

The university should provide regular training and awareness programs for faculty, staff, and students on the importance of academic freedom and the recognition and prevention of violations. This includes workshops on diversity, equity, and inclusion, as well as training on Title IX policies and procedures.

2. Clear Policies and Procedures

The university should have clear policies and procedures for addressing violations of academic freedom. These policies should include a process for filing complaints, an appeals process, and clear guidelines for investigating and resolving complaints.

3. Supportive Environment

Creating a supportive and inclusive environment is crucial for preventing violations of academic freedom. The university should foster a culture of respect and inclusion, where all members feel valued and supported.

4. Complaint Handling

A formal process should be in place for handling complaints of violations of academic freedom. This process should be transparent, fair, and prompt, ensuring that all parties are heard and considered.

5. Accountability

Those who violate academic freedom should be held accountable. This includes the imposition of sanctions, as well as training and counseling to prevent future violations.

6. Consultation and Collaboration

Consultation with external experts, such as legal advisors and inclusion consultants, can provide valuable insights and guidance on best practices for preventing violations of academic freedom.

By implementing these preventive measures, the university can create a safer and more supportive environment for all members of the academic community.
Selected Bibliography
Nevada Supreme Court Rules Against Professor Who Was Denied Tenure - Faculty - The...

April 26, 2002

**Nevada Supreme Court Rules Against Professor Who Was Denied Tenure**

*By PIPER FOGG*

The Nevada Supreme Court last month rejected an appeal by a former assistant professor at the University of Nevada at Las Vegas who claimed that she had been unfairly denied tenure for being "uncollegial." The court ruled that the university had a right to deny her tenure and to consider collegiality as a factor.

Marcella A. McClure, a virologist, sued the university in 1999, after having been denied tenure there in 1997. Ms. McClure accused the university of using a new and unfair category of "collegiality" in her evaluation. She claimed breach of contract, wrongful termination, breach of fair dealing, and intentional and negligent infliction of emotional distress.

"Right on the Mark"

A state court dismissed her lawsuit, finding that the University and Community College System of Nevada is immune to suits over tenure decisions. The Nevada Supreme Court upheld that decision.

"The Supreme Court decision is right on the mark," said Kwasi Nyameke, a lawyer for the university system. "Nontenured faculty don't have a contractual right to tenure. Nor does the failure to grant tenure constitute a breach of the covenant of good faith and fair dealing."

Furthermore, the court said that Ms. McClure, as a nontenured professor, had "no constitutionally protected due-process interest" in but Ms. McClure, who was hired in 1993, argued that the university had failed to follow its own guidelines in her tenure review. Secret letters, she said, had been solicited from biology-department faculty and staff members about her collegiality.

The Nevada Supreme Court ruled that there was "nothing inappropriate" in asking for the opinions of other faculty members about the assistant professor. "Their comments may be a vital resource in the university's decision to grant tenure," it said.
Ms. McClure, who is now an associate professor of microbiology at Montana State University at Bozeman, could not be reached for comment. Her lawyer, Bradley J. Richardson, said the decision means that "the university can be arbitrary and doesn't have to follow rules."

http://chronicle.com Section: The Faculty Page: A14

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Collegiality

- I have repeatedly spoken against the change by the FEAC Drafting Group of one of the criterion of evaluation in EKU’s current policy on P&T from “professional relations” in regard to teaching, scholarship/creative activities, and service to “collegiality” in relation to all three. This Group is dramatically over-reaching its charge to simplify and improve P&T processes at EKU. P&T and curriculum are the most weighty of the responsibilities and rights of faculty members within shared governance. The members of this Group were not elected by faculty to make these decisions and any observation of the group will demonstrate that it is dominated by its appointed administrators.

The reasons given by the FEAC Drafting Group for this change are the following, followed by my critique of those justifications. 1a) Case law shows universities can release people based on collegiality. 1b) Does EKU? Should EKU? Plenty of “legal” injustices are done by universities to faculties, such as disbanding faculty senates. Is “it’s legal” really our highest standard? 2a) EKU can do this, so put it in policy to be more transparent. 2b) EKU should not be doing this. Putting it in policy will make it happen, or make it happen more. 3a) This would be a more efficient practice. 3b) This would not be best practice. In fact, given the definitional issues with collegiality, it would be messy practice and will probably result in increased lawsuits. 4a) Appropriate faculty governance is being used to make this university-wide change. 4b) The Group is not elected. In my two observations, the Group is dominated by its administrator members. 5a) Collegiality is already used by one EKU College as a P&T criterion. 5b) Although the College of Business and Technology has a statement about the general desirability of collegiality in its college document, it also clearly states that it uses the accepted EKU criteria in College P&T evaluations. Besides, even if you did count this non-use as one of the five colleges using collegiality, it is still the smallest possible minority, so where’s the logic of changing based on one out of five? 6a) The Group asserts it can define collegiality as it wishes. 6b) One cannot “redefine” how a commonly understood word will operate in social groups. It operates as its meaning is commonly understood, which is usually associated with like-ability, getting along, and especially agreeing with peers and supervisors. The term applies especially poorly in regard to relationships with students in teaching. 7a) AAUP approves this change. 7b) AAUP is strongly against adding collegiality to teaching, scholarship, service as a fourth criterion. However, AAUP also remarks on the negative effects of use of the term collegiality in the 1999 Statement, On Collegiality as a Criterion for P&T Evaluation, stating that collegiality is associated with ensuring homogeneity in the faculty and can be construed within P&T as a measure of enthusiasm and/or excessive deference in regard to decisions in collaboration with administrators or other faculty members. This is, according to the Statement, distinctly in opposition to a faculty member’s right to dissent in his or her opinions. In addition, the AAUP notes that use of this term has a chilling effect on faculty debate, which is damaging to the effectiveness of the university in fulfilling its societal role. 8) A further concern, unaddressed by the Group, is that use of this criterion will greatly inhibit the ability of pre-tenured faculty members to express their perspectives and could bring harm to them in their security and work satisfaction through the effects of unbalanced power. 9) An additional concern, unaddressed by the Group, is that change to the term collegiality will reduce the degree to which EKU’s educational programs are up to date, due to the chilling effect on the ability of tenure-track faculty to express newer ideas for curriculum in the face of seniors who will be evaluating them in P&T and can be quite passionate about NOT changing curricula. This hurts students.
How to make this complex decision? Above all, do no harm. Second, try to do good. Third, use proper governance.

For your consideration, – Doris Pierce

- Finally, concerning the issue of collegiality, I believe that this criterion has been left out of previous versions of the promotion and tenure policy for good reason. The conventional definition of collegiality is too subjective and slippery to use without great risk of capricious bias or discrimination based on sociality or likeability. The more narrow professional definition stipulated in the policy seems empty and redundant given its relationship to the three areas of teaching, scholarship, and service articulated in the revised draft. – Laura Newhart

- I agree with the comment posted here earlier which states the definition of collegiality should be better defined. To that end, I suggest that a rubric for measuring this as an aspect of the affective domain be developed and measured each year as a part of the self-evaluation. Respectfully, -- Sandy Hunter

- The problem I see with the inclusion of collegiality as a criterion of promotion and tenure is this: the definition given of “collegiality” in the proposed P&T document defines collegiality in terms of the performance of responsibilities in the three areas of evaluation. But if collegiality is simply the adequate performance of those duties, which is what the definition suggests, then it is NOT a clearly defined criterion. It is REDUNDANT, and including this will only cause CONFUSION.

In an earlier draft, the term “Professional Behavior” was proposed instead of “collegiality,” and I can see the general appeal of a policy that addresses unprofessional and unacceptable behavior (such as harassment). But aren’t those issues addressed by other University policies?

Respectfully, -- Matthew Pianalto

  o By “not a clearly defined criterion,” I meant that collegiality, as defined, would not be a separate, distinctive criterion—distinct from the standards set out in the three areas of evaluation. Hence, redundant. – Matthew Pianalto

- I greatly appreciate Matthew’s comments and would like to comment further on the rationale that we need to change to evaluating P&T on collegiality due to the need for improved “transparency” in EKU’s P&T procedures.

According to the AAUP, collegiality is “not infrequently associated with ensuring homogeneity . . . may also threaten academic freedom . . . . may be confused with the expectation that a faculty member display ‘enthusiasm’ or ‘dedication,’ evince ‘a constructive attitude’ that will ‘foster harmony,’ or display an excessive deference to administrative or faculty decisions where these may require reasoned discussion. . . . flatly contrary to elementary principles of academic freedom.” (AAUP, on Collegiality, 1999).

To me, judging/dismissing faculty on the basis of collegiality is oppressive and poor practice. Yet, it is legal. It will be even more legal if supported by this change. A parallel would be mountaintop removal. It is legal, but is it best practice? Do we want to strengthen its use by formally recommending or requiring it? Probably not.

If EKU wished to be transparent in its P&T procedures, I suggest a website where all P&T decisions would be posted as they occur. This would include faculty group decisions, administrator decisions, and court cases. Now, THAT would be improved transparency!
I extend my appreciation to all those taking the time to thoughtfully assume their professional responsibilities for faculty governance. –Doris Pierce

**Reconsideration and Appeals**

- Concerning the revisions to the Promotion and Tenure Policy, I am not in favor of removing the possibility for reconsideration and/or appeal from the college and university levels to be substituted by reconsideration only at the department level and appeal to an FEAC after the Provost’s decision based only on the three criteria specified in the draft of the revised policy. In spite of the reasons given during the public forums on the revised policy, i.e., that eliminating reconsiderations/appeals at the college and university levels will reduce the anxiety of the candidate and that it will present a smoother and more efficient process, I believe that eliminating reconsiderations and/or appeals at the college and provost levels, with appeals permitted after the provost’s decision based only on capriciousness, due procedure, or academic freedom, leaves open too much opportunity for problematic decisions at the college and university levels that there would be no official mechanism for addressing.

Also, concerning the establishment of an FEAC as an independent external body who would hear appeals only on the three specified criteria, in spite of claims that such a body would allow for more clear-cut and objective appeal decisions, I think it should be the responsibility of the person/committee who makes a particular tenure/promotion decision to answer for that decision based on a wider range of criteria than the three specified in the draft of the revised policy, whether that decision be made by the department committee, the department chair, the college committee, the dean, or the provost. –Laura Newhart

**Processing applications**

On the order of consideration, suggest a change from:

**CONDUCTING EVALUATION REVIEWS FOR TENURE AND PROMOTION**

**General Guidelines for Reviews at All Levels**

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

TO:

Consideration of promotions (at all levels) should be completed before consideration for tenure. My rationale is that any candidates who fail to obtain a positive vote for promotion would (at face value) not be acceptable for tenure. –Sandy Hunter

**Notification of Candidate of Procedures for Appeal**

- I have only two questions. At a few points the proposed policy would remove any responsibility from the department or University for notifying candidates of the procedures for appeal—the explanation says this “contradicts candidate responsibilities” (see, for example, block 157).
Would it not be in the interests of transparency and efficiency to still require the University, College and departments to provide this information to candidates? –Jerry Nachtwey

**Contract**

- Also, there were a couple of deletions (Blocks 24 and 104, at least) which were made because “The University does not issue contracts”. Is this to say that individual colleges issue the contracts, or they not, in fact, “contracts” that we have been signing? This may be my own misunderstanding, but I just wanted to know for sure. –Jerry Nachtwey
  - The University issues terms of appointment rather than contracts. –Sherry Robinson

**General Comments**

- I think this is all very well done, and I especially appreciated the side-by-side comparison of current and proposed policies. Kudos to all who were involved. –Jerry Nachtwey
- Overall, I like the draft. –Sandy Hunter
1. Collegiality

- General
  - judging/dismissing faculty on the basis of collegiality is oppressive and poor practice.
  - Should EKU? Is “it's legal” really our highest standard?
  - use of this criterion will greatly inhibit the ability of pre-tenured faculty members to express their perspectives and could bring harm to them in their security and work satisfaction through the effects of unbalanced power.
  - will reduce the degree to which EKU’s educational programs are up to date, due to the chilling effect on the ability of tenure-track faculty to express newer ideas for curriculum in the face of seniors who will be evaluating them in P&T and can be quite passionate about NOT changing curricula.
  - [Regarding reports that the College of Business/Technology uses it] where’s the logic of changing based on one out of five?

- Regarding Transparency
  - EKU should not be doing this [to be more transparent]. Putting it in policy will make it happen, or make it happen more.
  - [If the goal is to increase transparency] …suggest a website where all P&T decisions would be posted as they occur. This would include faculty group decisions, administrator decisions, and court cases.

- Definition
  - As currently defined (“not a clearly defined criterion”) it is not unique and therefore redundant with the existing three areas. This will cause confusion.
  - “…more narrow professional definition stipulated in the policy seems empty and redundant given its relationship to the three areas of teaching, scholarship, and service”
  - [definition is] “too subjective and slippery to use without great risk of capricious bias or discrimination based on sociality or likeability”
  - “…given the definitional issues with collegiality, it would be messy practice and will probably result in increased lawsuits.
  - [Defining it is problematic because it] “operates as its meaning is commonly understood, which is usually associated with like-ability, getting along, and especially agreeing with peers and supervisors.”
  - Defined in an earlier draft as “professional behavior.” Aren’t those issues addressed by other [existing] policies?
  - Collegiality needs to be better defined. Perhaps a rubric for measuring this be developed and used as part of the self-evaluation.

- And the AAUP
  - A couple of comments referenced the AAUP statement on collegiality. We thus attached the entire statement (2 pages) to the end of these comments.
2. Consideration

- It is suggested that the following…
  - 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.
- Be changed to…
  - Consideration of promotions (at all levels) should be completed before consideration for tenure.
- Because “… rationale is that any candidates who fail to obtain a positive vote for promotion would (at face value) not be acceptable for tenure. “

3. Notification of Procedures for Appeal

- At a few points the proposed policy would remove any responsibility from the department or University for notifying candidates of the procedures for appeal—the explanation says this “contradicts candidate responsibilities” (see, for example, block 157). Would it not be in the interests of transparency and efficiency to still require the University, College and departments to provide this information to candidates?

4. FEAC

- Substituting FEAC and the department reconsideration based on only 3 criteria (capriciousness, due procedure, or academic freedom) – substituting these things for what we have in place now – and considering that the FEAC will hear appeals only on these three criteria “leaves open too much opportunity for problematic decisions at the college and university levels that there would be no official mechanism for addressing.” “…it should be the responsibility of the person/committee who makes a particular tenure/promotion decision to answer for that decision based on a wider range of criteria than the three specified, whether that decision be made by the department committee, the department chair, the college committee, the dean, or the provost.
Members of Policy 4.6.4 Drafting Team

- Lana Carnes, BT (Chair representative)
- David Gale, HS (2009-2011)/MaryEllen Thompson, HS (2011-12)
- Paula Kristofik, AS (recommended by Faculty Senate Executive Committee)
- Betsy Matthews, JS
- Kim Naugle, ED (Dean representative)
- Tom Otieno (recommended by Faculty Senate Executive Committee)
- Sherry Robinson, ex-officio
- Debbie Whalen, Libraries
- Senator Nancy McKenney (asked to remain after Senate term ended)
- Senator Jerry Palmer (11-12)
- Senator Julie Hensley (11-12)
- Senator Cathie Velotta (11-12)
- Senator Erin Presley (11-12)
- Senator Debbie Whalen (11-12)
- Senator Carol Palmer (11)
- Senator Caroline Walz (11)
- Senate Chair John Taylor/Lynnette Noblitt (each during their respective term)
Academic Freedom for a Free Society
January 27, 2011

Professor Nancy McKenney
President, AAUP Chapter
Eastern Kentucky University
Library 203
421 Lancaster Avenue
Richmond, Kentucky 40475

Dear Professor McKenney:

You and your colleagues at Eastern Kentucky University have asked us to comment on proposed revisions to the university’s promotion and tenure policies, as set forth in a December 9, 2010, draft document. I will organize my comments according to the sections in the draft proposal and confine my remarks almost entirely to those few provisions not completely consistent with AAUP-supported professional standards.

Policy Statement

I was pleased to see the reference here to the 1940 Statement of Principles on Academic Freedom and Tenure (enclosed). I should note, however, that the 1940 Statement was the joint production of the AAUP and the Association of American Colleges (now the Association of American Colleges and Universities) and thus might be more accurately described as the AAUP-AAC&U 1940 Statement of Principles on Academic Freedom and Tenure.

Tenure Appointments

In order to avoid excessive probation, the 1940 Statement calls for the crediting of prior service at other institutions in calculating the length of the probationary period:

Beginning with appointment to the rank of full-time instructor or a higher rank, the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years...
in one or more institutions, a teacher is called to another institution, it may be agreed in writing that the new appointment is for a probationary period of not more than four years, even though thereby the person’s total probationary period in the academic profession is extended beyond the normal maximum of seven years.

As the AAUP’s enclosed statement *On Crediting Prior Service Elsewhere as Part of the Probationary Period* explains,

The underlying objective of the foregoing provision is to recognize university teaching as a profession in which, after a limited probationary period to demonstrate professional competence in their positions, faculty members achieve tenure in order to protect academic freedom and provide a reasonable degree of economic security. Tenure in the profession as a whole, rather than at a particular institution, is not a practical possibility, since a faculty appointment is at a given institution. Nevertheless, to the extent that experience anywhere provides relevant evidence about competence, excessive probation can occur not only at one institution but also through failure to grant any probationary credit for service at one or more previous institutions.

The 1940 *Statement* recognizes, however, that, because there is great diversity among institutions, not all experience is interchangeable, and that an institution may properly wish to determine whether an individual meets its standards for permanent appointment by on-the-spot experience. Thus a minimum probationary period, up to four years, at a given institution is a reasonable arrangement in appointing a person with prior service. It meets a reasonable demand of institutions that wish to make considered decisions on tenure based on performance at those institutions, and the needs of individuals who wished to obtain appointments that might not otherwise have been available to them because of insufficient time for evaluation.

I note the provision in this section of the draft EKU document that “[p]revious service in other institutions normally does not count toward tenure requirements unless agreed upon in writing at the time of hire.” I would recommend revising this provision to make it normal to count prior service elsewhere up to a maximum of three years, while of course continuing to insist that any such agreement be reduced to writing.

**Provisions of Tenure**

“Bona fide financial exigency” is referred to as a possible basis for termination of tenured appointments. Am I correct in assuming that procedures for termination of
appointments for reasons of financial exigency are set forth in another section of the university's regulations? If so, we would hope that they comport with the provisions of Regulation 4c of the enclosed Recommended Institutional Regulations on Academic Freedom and Tenure.

The second paragraph of this section describes a procedure for dismissal for cause of tenured faculty members that is unacceptable under widely observed academic standards. A fundamental tenet of academic due process is that faculty members facing dismissal should be afforded the opportunity for a pretermination hearing before an elected body of peers, though the governing board may serve as an appellate body at the end of the process. See the enclosed AAUP-AAC&U 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings. See also Regulations 5 and 6 of the Recommended Institutional Regulations. I would hope that dismissal procedures comporting with these AAUP-recommended standards are detailed in another section of the university's regulations.

Application for Tenure and Promotion

The fifth and sixth provisions in this section refer to "agreed-upon exceptions to tenure and promotion policy." Whatever those exceptions might be, it is not clear here who is doing the agreeing, besides, presumably, the candidate. The dean and provost? Under principles of shared governance (see page 139 of the enclosed Statement on Government of Colleges and Universities), faculty should exercise "primary responsibility" in faculty personnel matters. The department and/or another appropriate and duly constituted faculty body should therefore have the opportunity to review and approve any exceptions to the policy before agreements are put in writing.

Procedures

Establishing Review Committees: Faculty Evaluation Appeals Committee

Under AAUP-supported standards of academic governance, it would not be appropriate for a committee reviewing appeals of faculty personnel decisions to include an administrative officer. See the section in the Statement on Government to which I have just referred. See also our enclosed Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments.
Conducting Evaluation Reviews for Tenure and Promotion: Faculty in Shared Appointments

As noted above, the AAUP’s longstanding position is that the maximum period of probation should not exceed seven years. It appears here that faculty members sharing an appointment could serve probationary periods that extend for as long as nine years.

Conducting Evaluation Reviews for Tenure and Promotion: Consideration of Faculty Holding Administrative Positions

The AAUP has not developed any separate policy statements or reports that recognize administrative officers as being eligible for tenure and promotion as faculty members. Our policy documents tend to regard faculty members and administrators as two separate categories, each category with its own particular responsibilities and interests. As described in those documents, faculty members are those academic appointees who function as faculty members, whose primary responsibilities, accordingly, are teaching and research. Individuals can move from one category to another, as when a faculty member accepts an appointment as a full-time administrator, but in that case, we would view that person as functioning primarily as an administrator, not as a member of the faculty. Typically, in our experience, faculty members who have earned tenure and then accept an administrative appointment will retain tenure and can resume their faculty positions, if they do so within a reasonable period of time. To our knowledge, it is not at all typical for an administrator, qua administrator, to be granted faculty tenure. However, I note that the policy outlined in the draft document does specify that administrators being evaluated for faculty rank and tenure “will be judged by the same criteria as any other faculty” and that administrative performance will not substitute for performance in the traditional areas of teaching, scholarship, and service.

Conducting Evaluation Reviews for Tenure and Promotion: The Appeals Process

The procedures detailed here do not comport in all respects with the AAUP-recommended standards set forth in the Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments and in Regulations 2g and 10 of the Recommended Institutional Regulations.

First, the AAUP recognizes three potential grounds for an appeal of a negative reappointment or tenure decision: (1) inadequate consideration, (2) violations of academic freedom, and (3) improper discrimination.

The only grounds enumerated in the draft document—that the “decision is arbitrary, capricious, or not supported by factual data” and that it involved a “violation of procedural due process”—would be encompassed by the term inadequate
consideration. However, the meaning of inadequate consideration is broader than the grounds specified here. To quote the Statement on Procedural Standards:

    It is easier to state what the standard "adequate consideration" does not mean than to specify in detail what it does. It does not mean that the review committee should substitute its own judgment for that of members of the department on the merits of whether the candidate should be reappointed or given tenure. The conscientious judgment of the candidate’s departmental colleagues must prevail if the invaluable tradition of departmental autonomy in professional judgments is to prevail. The term "adequate consideration" refers essentially to procedural rather than to substantive issues: Was the decision conscientiously arrived at? Was all available evidence bearing on the relevant performance of the candidate sought out and considered? Was there adequate deliberation by the department over the import of the evidence in light of the relevant standards? Were irrelevant and improper standards excluded from consideration? Was the decision a bona fide exercise of professional academic judgment? These are the kinds of questions suggested by the standard "adequate consideration."

An important omission in the draft policy is the lack of any mention, as possible grounds for an appeal, of alleged violations of academic freedom or of governing policies forbidding improper discrimination. See especially pages 19-20 in the Statement on Procedural Standards and Regulation 10 of the Recommended Institutional Regulations.

Second, I note that once the Faculty Evaluation Appeals Committee (FEAC) reports its findings to the president, his or her potential actions are (1) upholding the FEAC’s recommendation, (2) reversing the FEAC’s recommendation, or (3) reconvening the FEAC so that it can continue its review and make additional findings. There is no mention of the report’s going to anyone but the president.

Under AAUP-supported standards, if the appeals committee finds that the candidate’s application received inadequate consideration by any person or body in the decision-making chain, then that committee should request reconsideration by that person or body and indicate the ways in which it believes the initial consideration fell short. And it should provide copies of its report not only to the president or other appropriate administrative officer but also to the faculty member and to the individual or body that made the decision.

While I appreciate that a candidate may request immediate reconsideration of an initial negative recommendation by the department and the department chair (a policy that accords with AAUP recommendations), it appears that no reconsideration can be requested of any other person or body in the decision-making process.
Under these same standards, if an unsuccessful candidate for reappointment or tenure alleges that the adverse decision was based significantly on considerations that violate academic freedom or governing policies forbidding discrimination and if the complaint cannot be resolved informally, then the review committee should hold formal hearings on the matter. If the faculty member succeeds in establishing a prima facie case, then it would be incumbent upon those who made the decision against reappointment or tenure to come forward with evidence in support of their decision. The report of the committee should be distributed to all interested parties.

Definitions

"Professional behavior" does not seem to be the most appropriate label for the positive qualities included in the definition. Professional behavior is a neutral term and can include negative as well as positive qualities. I assume that you are familiar with our enclosed statement on Collegiality as a Criterion for Faculty Evaluation, the influence of which seems apparent in this definition. For a description of the ethical precepts to which we believe members of the academic profession should adhere, let me also commend to your attention the enclosed Statement on Professional Ethics. Some colleges and universities employ the criterion “conduct in accordance with professional ethical standards” in addition to teaching, scholarship, and service.

I hope that you and your colleagues find these comments useful. Please do not hesitate to contact me again if you have any questions.

Sincerely,

[Signature]

Gregory F. Scholtz
Associate Secretary and Director
Department of Academic Freedom, Tenure, and Governance

Enclosures
On Collegiality as a Criterion for Faculty Evaluation

The statement that follows was approved by the Association’s Committee A on Academic Freedom and Tenure and adopted by the Association’s Council in November 1999.

In evaluating faculty members for promotion, renewal, tenure, and other purposes, American colleges and universities have customarily examined faculty performance in the three areas of teaching, scholarship, and service, with service sometimes divided further into public service and service to the college or university. While the weight given to each of these three areas varies according to the mission and evolution of the institution, the terms are themselves generally understood to describe the key functions performed by faculty members.

In recent years, Committee A has become aware of an increasing tendency on the part not only of administrations and governing boards but also of faculty members serving in such roles as department chairs or as members of promotion and tenure committees to add a fourth criterion in faculty evaluation: “collegiality.” For the reasons set forth in this statement, we view this development as highly unfortunate, and we believe that it should be discouraged.

Few, if any, responsible faculty members would deny that collegiality, in the sense of collaboration and constructive cooperation, identifies important aspects of a faculty member’s overall performance. A faculty member may legitimately be called upon to participate in the development of curricula and standards for the evaluation of teaching, as well as in peer review of the teaching of colleagues. Much research, depending on the nature of the particular discipline, is by its nature collaborative and requires teamwork as well as the ability to engage in independent investigation. And committee service of a more general description, relating to the life of the institution as a whole, is a logical outgrowth of the Association’s view that a faculty member is an “officer” of the college or university in which he or she fulfills professional duties.

Understood in this way, collegiality is not a distinct capacity to be assessed independently of the traditional triumvirate of teaching, scholarship, and service. It is rather a quality whose value is expressed in the successful execution of these three functions. Evaluation in these three areas will encompass the contributions that the virtue of collegiality may pertinently add to a faculty member’s career. The current tendency to isolate collegiality as a distinct dimension of evaluation, however, poses several dangers. Historically, “collegiality” has not infrequently been associated with ensuring homogeneity, and hence with practices that exclude persons on the basis of their difference from a perceived norm. The invocation of “collegiality” may also threaten academic freedom. In the heat of important decisions regarding promotion or tenure, as well as other matters involving such traditional areas of faculty responsibility as curriculum or academic hiring, collegiality may be confused with the expectation that a faculty member display “enthusiasm” or “dedication,” evince “a constructive attitude” that will “foster harmony,” or display an excessive deference to administrative or faculty decisions where these may require reasoned discussion. Such expectations are flatly contrary to elementary principles of academic freedom, which protect a faculty member’s right to dissent from the judgments of colleagues and administrators.

A distinct criterion of collegiality also holds the potential of chilling faculty debate and discussion. Criticism and opposition do not necessarily conflict with collegiality. Gadflies, critics of institutional practices or collegial norms, even the occasional malcontent, have all been known to play an invaluable and constructive role in the life of academic departments and institutions. They have sometimes proved collegial in the deepest and truest sense. Certainly a college or university replete with genial Babbitts is not the place to which society is likely to
look for leadership. It is sometimes exceedingly difficult to distinguish the constructive engagement that characterizes true collegiality from an obstructiveness or truculence that inhibits collegiality. Yet the failure to do so may invite the suppression of dissent. The very real potential for a distinct criterion of “collegiality” to cast a pall of stale uniformity places it in direct tension with the value of faculty diversity in all its contemporary manifestations.

Relatively little is to be gained by establishing collegiality as a separate criterion of assessment. A fundamental absence of collegiality will no doubt manifest itself in the dimensions of teaching, scholarship, or, most probably, service, though here we would add that we all know colleagues whose distinctive contribution to their institution or their profession may not lie so much in service as in teaching and research. Professional misconduct or malfeasance should constitute an independently relevant matter for faculty evaluation. So, too, should efforts to obstruct the ability of colleagues to carry out their normal functions, to engage in personal attacks, or to violate ethical standards. The elevation of collegiality into a separate and discrete standard is not only inconsistent with the long-term vigor and health of academic institutions and dangerous to academic freedom, it is also unnecessary.

Committee A accordingly believes that the separate category of “collegiality” should not be added to the traditional three areas of faculty performance. Institutions of higher education should instead focus on developing clear definitions of teaching, scholarship, and service, in which the virtues of collegiality are reflected. Certainly an absence of collegiality ought never, by itself, to constitute a basis for nonreappointment, denial of tenure, or dismissal for cause.

Notes
1. At some institutions, the term “collegiality” or “citizenship” is employed in regulations or in discussions of institutional practice as a synonym for “service.” Our objection is to the use of the term “collegiality” in its description of a separate and additional area of performance in which the faculty member is to be evaluated.
2. The locus classicus for this term is the 1940 “Statement of Principles on Academic Freedom and Tenure”: “College and university teachers are citizens, members of a learned profession, and officers of an educational institution.” (AAUP, Policy Documents and Reports, 10th ed. [Washington, D.C., 2006], 3.)
Statement on Government of Colleges and Universities

The statement that follows is directed to governing board members, administrators, faculty members, students, and other persons in the belief that the colleges and universities of the United States have reached a stage calling for appropriately shared responsibility and cooperative action among the components of the academic institution. The statement is intended to foster constructive joint thought and action, both within the institutional structure and in protection of its integrity against improper intrusions.

It is not intended that the statement serve as a blueprint for governance on a specific campus or as a manual for the regulation of controversy among the components of an academic institution, although it is to be hoped that the principles asserted will lead to the correction of existing weaknesses and assist in the establishment of sound structures and procedures. The statement does not attempt to cover relations with those outside agencies that increasingly are controlling the resources and influencing the patterns of education in our institutions of higher learning; for example, the United States government, state legislatures, state commissions, interstate associations or compacts, and other interinstitutional arrangements. However, it is hoped that the statement will be helpful to these agencies in their consideration of educational matters.

Students are referred to in this statement as an institutional component coordinate in importance with trustees, administrators, and faculty. There is, however, no main section on students. The omission has two causes: (1) the changes now occurring in the status of American students have plainly outdistanced the analysis by the educational community, and an attempt to define the situation without thorough study might prove unfair to student interests, and (2) students do not in fact at present have a significant voice in the government of colleges and universities; it would be unseemly to obscure, by superficial equality of length of statement, what may be a serious lag entitled to separate and full confrontation. The concern for student status felt by the organizations issuing this statement is embodied in a note, “On Student Status,” intended to stimulate the educational community to turn its attention to an important need.

This statement was jointly formulated by the American Association of University Professors, the American Council on Education (ACE), and the Association of Governing Boards of Universities and Colleges (AGB). In October 1966, the board of directors of the ACE took action by which its council “recognizes the statement as a significant step forward in the clarification of the respective roles of governing boards, faculties, and administrations,” and “commends it to the institutions which are members of the Council.” The Council of the AAUP adopted the statement in October 1966, and the Fifty-third Annual Meeting endorsed it in April 1967. In November 1966, the executive committee of the AGB took action by which that organization also “recognizes the statement as a significant step forward in the clarification of the respective roles of governing boards, faculties, and administrations,” and “commends it to the governing boards which are members of the Association.” (In April 1990, the Council of the AAUP adopted several changes in language in order to remove gender-specific references from the original text.)

1. Introduction

This statement is a call to mutual understanding regarding the government of colleges and universities. Understanding, based on community of interest and producing joint effort, is essential for at least three reasons. First, the academic institution, public or private, often has become less autonomous; buildings, research, and student tuition are supported by funds over which the college or university exercises a diminishing control. Legislative and executive governmental authorities, at all levels, play a part in the making of important decisions in academic policy. If these voices and forces are to be successfully heard and integrated, the academic institution must be in a position to meet them with its own generally unified view. Second, regard
for the welfare of the institution remains important despite the mobility and interchange of scholars. Third, a college or university in which all the components are aware of their interdependence, of the usefulness of communication among themselves, and of the force of joint action will enjoy increased capacity to solve educational problems.

2. The Academic Institution: Joint Effort
   a. Preliminary Considerations. The variety and complexity of the tasks performed by institutions of higher education produce an inescapable interdependence among governing board, administration, faculty, students, and others. The relationship calls for adequate communication among these components, and full opportunity for appropriate joint planning and effort.

   Joint effort in an academic institution will take a variety of forms appropriate to the kinds of situations encountered. In some instances, an initial exploration or recommendation will be made by the president with consideration by the faculty at a later stage; in other instances, a first and essentially definitive recommendation will be made by the faculty, subject to the endorsement of the president and the governing board. In still others, a substantive contribution can be made when student leaders are responsibly involved in the process. Although the variety of such approaches may be wide, at least two general conclusions regarding joint effort seem clearly warranted: (1) important areas of action involve at one time or another the initiating capacity and decision-making participation of all the institutional components, and (2) differences in the weight of each voice, from one point to the next, should be determined by reference to the responsibility of each component for the particular matter at hand, as developed hereinafter.

   b. Determination of General Educational Policy. The general educational policy, i.e., the objectives of an institution and the nature, range, and pace of its efforts, is shaped by the institutional charter or by law, by tradition and historical development, by the present needs of the community of the institution, and by the professional aspirations and standards of those directly involved in its work. Every board will wish to go beyond its formal trustee obligation to conserve the accomplishment of the past and to engage seriously with the future; every faculty will seek to conduct an operation worthy of scholarly standards of learning; every administrative officer will strive to meet his or her charge and to attain the goals of the institution. The interests of all are coordinate and related, and unilateral effort can lead to confusion or conflict. Essential to a solution is a reasonably explicit statement on general educational policy. Operating responsibility and authority, and procedures for continuing review, should be clearly defined in official regulations.

   When an educational goal has been established, it becomes the responsibility primarily of the faculty to determine the appropriate curriculum and procedures of student instruction.

   Special considerations may require particular accommodations: (1) a publicly supported institution may be regulated by statutory provisions, and (2) a church-controlled institution may be limited by its charter or bylaws. When such external requirements influence course content and the manner of instruction or research, they impair the educational effectiveness of the institution.

   Such matters as major changes in the size or composition of the student body and the relative emphasis to be given to the various elements of the educational and research program should involve participation of governing board, administration, and faculty prior to final decision.

   c. Internal Operations of the Institution. The framing and execution of long-range plans, one of the most important aspects of institutional responsibility, should be a central and continuing concern in the academic community.

   Effective planning demands that the broadest possible exchange of information and opinion should be the rule for communication among the components of a college or uni-
versity. The channels of communication should be established and maintained by joint endeavor. Distinction should be observed between the institutional system of communication and the system of responsibility for the making of decisions.

A second area calling for joint effort in internal operation is that of decisions regarding existing or prospective physical resources. The board, president, and faculty should all seek agreement on basic decisions regarding buildings and other facilities to be used in the educational work of the institution.

A third area is budgeting. The allocation of resources among competing demands is central in the formal responsibility of the governing board, in the administrative authority of the president, and in the educational function of the faculty. Each component should therefore have a voice in the determination of short- and long-range priorities, and each should receive appropriate analyses of past budgetary experience, reports on current budgets and expenditures, and short- and long-range budgetary projections. The function of each component in budgetary matters should be understood by all; the allocation of authority will determine the flow of information and the scope of participation in decisions.

Joint effort of a most critical kind must be taken when an institution chooses a new president. The selection of a chief administrative officer should follow upon a cooperative search by the governing board and the faculty, taking into consideration the opinions of others who are appropriately interested. The president should be equally qualified to serve both as the executive officer of the governing board and as the chief academic officer of the institution and the faculty. The president’s dual role requires an ability to interpret to board and faculty the educational views and concepts of institutional government of the other. The president should have the confidence of the board and the faculty.

The selection of academic deans and other chief academic officers should be the responsibility of the president with the advice of, and in consultation with, the appropriate faculty.

Determinations of faculty status, normally based on the recommendations of the faculty groups involved, are discussed in Part 5 of this statement; but it should here be noted that the building of a strong faculty requires careful joint effort in such actions as staff selection and promotion and the granting of tenure. Joint action should also govern dismissals; the applicable principles and procedures in these matters are well established.²

d. External Relations of the Institution. Anyone—a member of the governing board, the president or other member of the administration, a member of the faculty, or a member of the student body or the alumni—affects the institution when speaking of it in public. An individual who speaks unofficially should so indicate. An individual who speaks officially for the institution, the board, the administration, the faculty, or the student body should be guided by established policy.

It should be noted that only the board speaks legally for the whole institution, although it may delegate responsibility to an agent.

The right of a board member, an administrative officer, a faculty member, or a student to speak on general educational questions or about the administration and operations of the individual’s own institution is a part of that person’s right as a citizen and should not be abridged by the institution.² There exist, of course, legal bounds relating to defamation of character, and there are questions of propriety.

3. The Academic Institution: The Governing Board

The governing board has a special obligation to ensure that the history of the college or university shall serve as a prelude and inspiration to the future. The board helps relate the institution to its chief community: for example, the community college to serve the educational needs of a defined population area or group, the church-controlled college to be cognizant of the announced position of its denomination, and the comprehensive university to discharge the many duties and to accept the appropriate new challenges which are its concern at the several levels of higher education.
The governing board of an institution of higher education in the United States operates, with few exceptions, as the final institutional authority. Private institutions are established by charters; public institutions are established by constitutional or statutory provisions. In private institutions the board is frequently self-perpetuating; in public colleges and universities the present membership of a board may be asked to suggest candidates for appointment. As a whole and individually, when the governing board confronts the problem of succession, serious attention should be given to obtaining properly qualified persons. Where public law calls for election of governing board members, means should be found to ensure the nomination of fully suited persons, and the electorate should be informed of the relevant criteria for board membership.

Since the membership of the board may embrace both individual and collective competence of recognized weight, its advice or help may be sought through established channels by other components of the academic community. The governing board of an institution of higher education, while maintaining a general overview, entrusts the conduct of administration to the administrative officers—the president and the deans—and the conduct of teaching and research to the faculty. The board should undertake appropriate self-limitation.

One of the governing board’s important tasks is to ensure the publication of codified statements that define the overall policies and procedures of the institution under its jurisdiction. The board plays a central role in relating the likely needs of the future to predictable resources; it has the responsibility for husbanding the endowment; it is responsible for obtaining needed capital and operating funds; and in the broadest sense of the term it should pay attention to personnel policy. In order to fulfill these duties, the board should be aided by, and may insist upon, the development of long-range planning by the administration and faculty. When ignorance or ill will threatens the institution or any part of it, the governing board must be available for support. In grave crises it will be expected to serve as a champion. Although the action to be taken by it will usually be on behalf of the president, the faculty, or the student body, the board should make clear that the protection it offers to an individual or a group is, in fact, a fundamental defense of the vested interests of society in the educational institution.3

4. The Academic Institution: The President
The president, as the chief executive officer of an institution of higher education, is measured largely by his or her capacity for institutional leadership. The president shares responsibility for the definition and attainment of goals, for administrative action, and for operating the communications system that links the components of the academic community. The president represents the institution to its many publics. The president’s leadership role is supported by delegated authority from the board and faculty.

As the chief planning officer of an institution, the president has a special obligation to innovate and initiate. The degree to which a president can envision new horizons for the institution, and can persuade others to see them and to work toward them, will often constitute the chief measure of the president’s administration.

The president must at times, with or without support, infuse new life into a department; relatedly, the president may at times be required, working within the concept of tenure, to solve problems of obsolescence. The president will necessarily utilize the judgments of the faculty but may also, in the interest of academic standards, seek outside evaluations by scholars of acknowledged competence.

It is the duty of the president to see to it that the standards and procedures in operational use within the college or university conform to the policy established by the governing board and to the standards of sound academic practice. It is also incumbent on the president to ensure that faculty views, including dissenting views, are presented to the board in those areas and on those issues where responsibilities are shared. Similarly, the faculty should be informed of the views of the board and the administration on like issues.

The president is largely responsible for the maintenance of existing institutional resources and the creation of new resources; has ultimate managerial responsibility for a large area of nonacademic activities; is responsible for public understanding; and by the nature of the office
is the chief person who speaks for the institution. In these and other areas the president’s work
is to plan, to organize, to direct, and to represent. The presidential function should receive the
general support of board and faculty.

5. The Academic Institution: The Faculty
The faculty has primary responsibility for such fundamental areas as curriculum, subject matter
and methods of instruction, research, faculty status, and those aspects of student life which
relate to the educational process. On these matters the power of review or final decision lodged
in the governing board or delegated by it to the president should be exercised adversely only in
exceptional circumstances, and for reasons communicated to the faculty. It is desirable that the
faculty should, following such communication, have opportunity for further consideration and
further transmittal of its views to the president or board. Budgets, personnel limitations, the
time element, and the policies of other groups, bodies, and agencies having jurisdiction over
the institution may set limits to realization of faculty advice.

The faculty sets the requirements for the degrees offered in course, determines when the
requirements have been met, and authorizes the president and board to grant the degrees thus
achieved.

Faculty status and related matters are primarily a faculty responsibility; this area includes
appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure,
and dismissal. The primary responsibility of the faculty for such matters is based upon the fact
that its judgment is central to general educational policy. Furthermore, scholars in a particular
field or activity have the chief competence for judging the work of their colleagues; in such
competence it is implicit that responsibility exists for both adverse and favorable judgments.
Likewise, there is the more general competence of experienced faculty personnel committees
having a broader charge. Determinations in these matters should first be by faculty action
through established procedures, reviewed by the chief academic officers with the concurrence
of the board. The governing board and president should, on questions of faculty status, as in
other matters where the faculty has primary responsibility, concur with the faculty judgment
except in rare instances and for compelling reasons which should be stated in detail.

The faculty should actively participate in the determination of policies and procedures gov-
erning salary increases.

The chair or head of a department, who serves as the chief representative of the department
within an institution, should be selected either by departmental election or by appointment fol-
lowing consultation with members of the department and of related departments; appoint-
ments should normally be in conformity with department members’ judgment. The chair or
department head should not have tenure in office; tenure as a faculty member is a matter of
separate right. The chair or head should serve for a stated term but without prejudice to reelec-
tion or to reappointment by procedures that involve appropriate faculty consultation. Board,
administration, and faculty should all bear in mind that the department chair or head has a spe-
cial obligation to build a department strong in scholarship and teaching capacity.

Agencies for faculty participation in the government of the college or university should be
established at each level where faculty responsibility is present. An agency should exist for the
presentation of the views of the whole faculty. The structure and procedures for faculty partic-
ipation should be designed, approved, and established by joint action of the components of the
institution. Faculty representatives should be selected by the faculty according to procedures
determined by the faculty.5

The agencies may consist of meetings of all faculty members of a department, school, col-
lege, division, or university system, or may take the form of faculty-elected executive commit-
tees in departments and schools and a faculty-elected senate or council for larger divisions or
the institution as a whole.

The means of communication among the faculty, administration, and governing board now
in use include: (1) circulation of memoranda and reports by board committees, the administra-
tion, and faculty committees; (2) joint ad hoc committees; (3) standing liaison committees; (4)
membership of faculty members on administrative bodies; and (5) membership of faculty
members on governing boards. Whatever the channels of communication, they should be clear-
ly understood and observed.
On Student Status
When students in American colleges and universities desire to participate responsibly in the government of the institution they attend, their wish should be recognized as a claim to opportunity both for educational experience and for involvement in the affairs of their college or university. Ways should be found to permit significant student participation within the limits of attainable effectiveness. The obstacles to such participation are large and should not be minimized: inexperience, untested capacity, a transitory status which means that present action does not carry with it subsequent responsibility, and the inescapable fact that the other components of the institution are in a position of judgment over the students. It is important to recognize that student needs are strongly related to educational experience, both formal and informal.

Students expect, and have a right to expect, that the educational process will be structured, that they will be stimulated by it to become independent adults, and that they will have effectively transmitted to them the cultural heritage of the larger society. If institutional support is to have its fullest possible meaning, it should incorporate the strength, freshness of view, and idealism of the student body.

The respect of students for their college or university can be enhanced if they are given at least these opportunities: (1) to be listened to in the classroom without fear of institutional reprisal for the substance of their views, (2) freedom to discuss questions of institutional policy and operation, (3) the right to academic due process when charged with serious violations of institutional regulations, and (4) the same right to hear speakers of their own choice as is enjoyed by other components of the institution.

Notes
1. See the 1940 “Statement of Principles on Academic Freedom and Tenure,” AAUP, Policy Documents and Reports, 10th ed. (Washington, D.C., 2006), 3–11, and the 1958 “Statement on Procedural Standards in Faculty Dismissal Proceedings,” ibid., 12–15. These statements were jointly adopted by the Association of American Colleges (now the Association of American Colleges and Universities) and the American Association of University Professors; the 1940 “Statement” has been endorsed by numerous learned and scientific societies and educational associations.

2. With respect to faculty members, the 1940 “Statement of Principles on Academic Freedom and Tenure” reads: “College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution” (Policy Documents and Reports, 3–4).

3. Traditionally, governing boards developed within the context of single-campus institutions. In more recent times, governing and coordinating boards have increasingly tended to develop at the multi-campus regional, systemwide, or statewide levels. As influential components of the academic community, these supra-campus bodies bear particular responsibility for protecting the autonomy of individual campuses or institutions under their jurisdiction and for implementing policies of shared responsibility. The American Association of University Professors regards the objectives and practices recommended in the “Statement on Government” as constituting equally appropriate guidelines for such supra-campus bodies, and looks toward continued development of practices that will facilitate application of such guidelines in this new context. [Preceding note adopted by the AAUP’s Council in June 1978.]

4. With regard to student admissions, the faculty should have a meaningful role in establishing institutional policies, including the setting of standards for admission, and should be afforded opportunity for oversight of the entire admissions process. [Preceding note adopted by the Council in June 2002.]

5. The American Association of University Professors regards collective bargaining, properly used, as another means of achieving sound academic government. Where there is faculty collective bargaining, the parties should seek to ensure appropriate institutional governance structures which will protect the right of all faculty to participate in institutional governance in accordance with the “Statement on Government.” [Preceding note adopted by the Council in June 1978.]
Statement on Professional Ethics

The statement that follows, a revision of a statement originally adopted in 1966, was approved by the Association’s Committee on Professional Ethics, adopted by the Association’s Council in June 1987, and endorsed by the Seventy-third Annual Meeting.

Introduction
From its inception, the American Association of University Professors has recognized that membership in the academic profession carries with it special responsibilities. The Association has consistently affirmed these responsibilities in major policy statements, providing guidance to professors in such matters as their utterances as citizens, the exercise of their responsibilities to students and colleagues, and their conduct when resigning from an institution or when undertaking sponsored research. The Statement on Professional Ethics that follows sets forth those general standards that serve as a reminder of the variety of responsibilities assumed by all members of the profession.

In the enforcement of ethical standards, the academic profession differs from those of law and medicine, whose associations act to ensure the integrity of members engaged in private practice. In the academic profession the individual institution of higher learning provides this assurance and so should normally handle questions concerning propriety of conduct within its own framework by reference to a faculty group. The Association supports such local action and stands ready, through the general secretary and the Committee on Professional Ethics, to counsel with members of the academic community concerning questions of professional ethics and to inquire into complaints when local consideration is impossible or inappropriate. If the alleged offense is deemed sufficiently serious to raise the possibility of adverse action, the procedures should be in accordance with the 1940 Statement of Principles on Academic Freedom and Tenure, the 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings, or the applicable provisions of the Association’s Recommended Institutional Regulations on Academic Freedom and Tenure.

The Statement
1. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

2. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student’s true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

3. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas
professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

4. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

5. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

The current text is based upon the Association’s continuing experience in evaluating regulations actually in force at particular institutions. It is also based upon further definition of the standards and procedures of the Association over the years. The Association will be glad to assist in interpretation of the regulations or to consult about their incorporation in, or adaptation to, the rules of a particular college or university.

Foreword
These regulations are designed to enable the [named institution] to protect academic freedom and tenure and to ensure academic due process. The principles implicit in these regulations are for the benefit of all who are involved with or are affected by the policies and programs of the institution. A college or university is a marketplace of ideas, and it cannot fulfill its purposes of transmitting, evaluating, and extending knowledge if it requires conformity with any orthodoxy of content and method. In the words of the United States Supreme Court, “Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die.”

1. Statement of Terms of Appointment
a. The terms and conditions of every appointment to the faculty will be stated or confirmed in writing, and a copy of the appointment document will be supplied to the faculty member. Any subsequent extensions or modifications of an appointment, and any special understandings, or any notices incumbent upon either party to provide, will be stated or confirmed in writing and a copy will be given to the faculty member.

b. With the exception of special appointments clearly limited to a brief association with the institution, and reappointments of retired faculty members on special conditions, all full-time faculty appointments are of two kinds: (1) probationary appointments; (2) appointments with continuous tenure.

c. Except for faculty members who have tenure status, every person with a teaching or research appointment of any kind will be informed each year in writing of the renewal of the appointment and of all matters relative to eligibility for the acquisition of tenure.

2. Probationary Appointments
a. Probationary appointments may be for one year, or for other stated periods, subject to renewal. The total period of full-time service prior to the acquisition of continuous tenure will not exceed _____ years, including all previous full-time service with the rank of instructor or higher in other institutions of higher learning, except that the probationary period may extend to as much as four years, even if the total full-time service in the profession thereby exceeds seven years; the terms of such extension will be stated in writing at the time of initial appointment. Scholarly leave of absence for one year or less will count as part of the probationary period as if it were prior service at another institution, unless the individual and the institution agree in writing to an exception to this provision at the time the leave is granted.

b. The faculty member will be advised, at the time of initial appointment, of the substantive standards and procedures generally employed in decisions affecting renewal and tenure. Any special standards adopted by the faculty member’s department or school will also be transmitted. The faculty
member will be advised of the time when decisions affecting renewal or tenure are ordinarily made, and will be given the opportunity to submit material believed to be helpful to an adequate consideration of the faculty member’s circumstances.

c. Regardless of the stated term or other provisions of any appointments, written notice that a probationary appointment is not to be renewed will be given to the faculty member in advance of the expiration of the appointment, as follows: (1) not later than March 1 of the first academic year of service if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination; (2) not later than December 15 of the second academic year of service if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination; (3) at least twelve months before the expiration of an appointment after two or more years of service at the institution.

d. The institution will normally notify faculty members whose appointments are being renewed of the terms and conditions of their renewals by March 15, but in no case will such information be given later than_____.

e. When a decision not to renew an appointment has been reached, the faculty member involved will be informed of that decision in writing by the body or individual making the decision; the faculty member will be advised upon request of the reasons which contributed to that decision. The faculty member may request a reconsideration by the body or individual making the decision.

f. If the faculty member so requests, the reasons given in explanation of the nonrenewal will be confirmed in writing.

g. Insofar as the faculty member alleges that the decision against renewal was based on inadequate consideration, the committee that reviews the faculty member’s allegation will determine whether the decision was the result of adequate consideration in terms of the relevant standards of the institution. The review committee will not substitute its judgment on the merits for that of the body or individual that made the decision. If the review committee believes that adequate consideration was not given to the faculty member’s qualifications, it will request reconsideration by the body or individual that made the decision, indicating the respects in which it believes the consideration may have been inadequate. It will provide copies of its findings to the faculty member, the body or individual that made the decision, and the president or other appropriate administrative officer.

3. **Termination of Appointment by Faculty Members**

Faculty members may terminate their appointments effective at the end of an academic year, provided that they give notice in writing at the earliest possible opportunity, but not later than May 15, or thirty days after receiving notification of the terms of appointment for the coming year, whichever date occurs later. Faculty members may properly request a waiver of this requirement of notice in case of hardship or in a situation where they would otherwise be denied substantial professional advancement or other opportunity.

4. **Termination of Appointments by the Institution**

a. Termination of an appointment with continuous tenure, or of a probationary or special appointment before the end of the specified term, may be effected by the institution only for adequate cause.

b. If termination takes the form of a dismissal for cause, it will be pursuant to the procedures specified in Regulation 5.

Financial Exigency

c. (1) Termination of an appointment with continuous tenure, or of a probationary or special appointment before the end of the specified term, may occur under extraordinary circumstances because of a demonstrably bona fide financial exigency, i.e., an imminent financial crisis that threatens the survival of the institution as a whole and that cannot be alleviated by less drastic means.

[Note: Each institution in adopting regulations on financial exigency will need to decide how to share and allocate the hard judgments and decisions that are necessary in such a crisis.]

As a first step, there should be a faculty body that participates in the decision that a condition of financial exigency exists or is imminent, and that all feasible alternatives to termination of appointments have been pursued.

Judgments determining where within the overall academic program termination of appointments may occur involve considerations of educational policy, including affirmative action,
as well as of faculty status, and should therefore be
the primary responsibility of the faculty or of an
appropriate faculty body. The faculty or an
appropriate faculty body should also exercise
primary responsibility in determining the crite-
ria for identifying the individuals whose ap-
pointments are to be terminated. These criteria
may appropriately include considerations of
length of service.

The responsibility for identifying individu-
als whose appointments are to be terminated
should be committed to a person or group des-
ignated or approved by the faculty. The alloca-
tion of this responsibility may vary according to
the size and character of the institution, the
extent of the terminations to be made, or other
considerations of fairness in judgment. The
case of a faculty member given notice of pro-
posed termination of appointment will be gov-
erned by the following procedures.

(2) If the administration issues notice to a par-
ticular faculty member of an intention to termi-
nate the appointment because of financial exi-
genency, the faculty member will have the right to
a full hearing before a faculty committee. The
hearing need not conform in all respects with a
proceeding conducted pursuant to Regulation
5, but the essentials of an on-the-record adju-
dicative hearing will be observed. The issues in
this hearing may include:

(i) The existence and extent of the condition of
financial exigency. The burden will rest on
the administration to prove the existence
and extent of the condition. The find-
ings of a faculty committee in a previous
proceeding involving the same issue may
be introduced.

(ii) The validity of the educational judgments
and the criteria for identification for termi-
nation; but the recommendations of a fac-
ulty body on these matters will be consid-
ered presumptively valid.

(iii) Whether the criteria are being properly
applied in the individual case.

(3) If the institution, because of financial exi-
genency, terminates appointments, it will not at
the same time make new appointments except
in extraordinary circumstances where a serious
distortion in the academic program would oth-
erwise result. The appointment of a faculty
member with tenure will not be terminated in
favor of retaining a faculty member without
tenure, except in extraordinary circumstances
where a serious distortion of the academic pro-
gram would otherwise result.

(4) Before terminating an appointment because
of financial exigency, the institution, with fac-
ulty participation, will make every effort to
place the faculty member concerned in another
suitable position within the institution.

(5) In all cases of termination of appointment
because of financial exigency, the faculty mem-
ber concerned will be given notice or severance
salary not less than as prescribed in Regulation
8.

(6) In all cases of termination of appointment
because of financial exigency, the place of the
faculty member concerned will not be filled by
a replacement within a period of three years,
unless the released faculty member has been
offered reinstatement and a reasonable time in
which to accept or decline it.

Discontinuance of Program or Department Not Mandated by
Financial Exigency

(d) Termination of an appointment with continuous
tenure, or of a probationary or special appoint-
ment before the end of the specified term, may
occur as a result of bona fide formal discontinu-
ance of a program or department of instruction.
The following standards and procedures will
apply.

(1) The decision to discontinue formally a pro-
gram or department of instruction will be based
essentially upon educational considerations, as
determined primarily by the faculty as a whole
or an appropriate committee thereof.

[Note: “Educational considerations” do not
include cyclical or temporary variations in
enrollment. They must reflect long-range judg-
ments that the educational mission of the insti-
tution as a whole will be enhanced by the dis-
continuance.]

(2) Before the administration issues notice to a
faculty member of its intention to terminate an
appointment because of formal discontinuance
of a program or department of instruction, the
institution will make every effort to place the
faculty member concerned in another suitable
position. If placement in another position
would be facilitated by a reasonable period of training, financial and other support for such training will be proffered. If no position is available within the institution, with or without retraining, the faculty member's appointment then may be terminated, but only with provision for severance salary equitably adjusted to the faculty member's length of past and potential service.

[Note: When an institution proposes to discontinue a program or department of instruction, it should plan to bear the costs of relocating, training, or otherwise compensating faculty members adversely affected.]

(3) A faculty member may appeal a proposed relocation or termination resulting from a discontinuance and has a right to a full hearing before a faculty committee. The hearing need not conform in all respects with a proceeding conducted pursuant to Regulation 5, but the essentials of an on-the-record adjudicative hearing will be observed. The issues in such a hearing may include the institution's failure to satisfy any of the conditions specified in Regulation 4d. In such a hearing a faculty determination that a program or department is to be discontinued will be considered presumptively valid, but the burden of proof on other issues will rest on the administration.

**Termination Because of Physical or Mental Disability**

e. Termination of an appointment with tenure, or of a probationary or special appointment before the end of the period of appointment, because of physical or mental disability, will be based upon clear and convincing medical evidence that the faculty member, even with reasonable accommodation, is no longer able to perform the essential duties of the position. The decision to terminate will be reached only after there has been appropriate consultation and after the faculty member concerned, or someone representing the faculty member, has been informed of the basis of the proposed action and has been afforded an opportunity to present the faculty member's position and to respond to the evidence. If the faculty member so requests, the evidence will be reviewed by the Faculty Committee on Academic Freedom and Tenure [or whatever other title it may have] before a final decision is made by the governing board on the recommendation of the administration. The faculty member will be given severance salary not less than as prescribed in Regulation 8.

**Review**

f. In cases of termination of appointment, the governing board will be available for ultimate review.

**5. DISMISSAL PROCEDURES**

a. Adequate cause for a dismissal will be related, directly and substantially, to the fitness of faculty members in their professional capacities as teachers or researchers. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights of American citizens.

b. Dismissal of a faculty member with continuous tenure, or with a special or probationary appointment before the end of the specified term, will be preceded by: (1) discussions between the faculty member and appropriate administrative officers looking toward a mutual settlement; (2) informal inquiry by the duly elected faculty committee [insert name of committee] which may, if it fails to effect an adjustment, determine whether in its opinion dismissal proceedings should be undertaken, without its opinion being binding upon the president; (3) a statement of charges, framed with reasonable particularity by the president or the president's delegate.

c. A dismissal, as defined in Regulation 5a, will be preceded by a statement of charges, and the individual concerned will have the right to be heard initially by the elected faculty hearing committee [insert name of committee]. Members deeming themselves disqualified for bias or interest will remove themselves from the case, either at the request of a party or on their own initiative. Each party will have a maximum of two challenges without stated cause.

(1) Pending a final decision by the hearing committee, the faculty member will be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to the faculty member or others is threatened by continuance. Before suspending a faculty member, pending an ultimate determination of the faculty member's status through the institution's hearing procedures, the administration will consult with the Faculty Committee on Academic Freedom and Tenure [or whatever other title it may have] concerning the propri-
ety, the length, and the other conditions of the suspension. A suspension that is intended to be final is a dismissal, and will be treated as such. Salary will continue during the period of the suspension.

(2) The hearing committee may, with the consent of the parties concerned, hold joint pre-hearing meetings with the parties in order to (i) simplify the issues, (ii) effect stipulations of facts, (iii) provide for the exchange of documentary or other information, and (iv) achieve such other appropriate prehearing objectives as will make the hearing fair, effective, and expeditious.

(3) Service of notice of hearing with specific charges in writing will be made at least twenty days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause, the hearing tribunal will evaluate all available evidence and rest its recommendation upon the evidence in the record.

(4) The committee, in consultation with the president and the faculty member, will exercise its judgment as to whether the hearing should be public or private.

(5) During the proceedings the faculty member will be permitted to have an academic advisor and counsel of the faculty member's choice.

(6) At the request of either party or the hearing committee, a representative of a responsible educational association will be permitted to attend the proceedings as an observer.

(7) A verbatim record of the hearing or hearings will be taken and a typewritten copy will be made available to the faculty member without cost, at the faculty member's request.

(8) The burden of proof that adequate cause exists rests with the institution and will be satisfied only by clear and convincing evidence in the record considered as a whole.

(9) The hearing committee will grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.

(10) The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the hearing committee in securing witnesses and making available documentary and other evidence.

(11) The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the committee will identify the witnesses, disclose their statements, and, if possible, provide for interrogatories.

(12) In the hearing of charges of incompetence, the testimony will include that of qualified faculty members from this or other institutions of higher education.

(13) The hearing committee will not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

(14) The findings of fact and the decision will be based solely on the hearing record.

(15) Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers will be avoided so as possible until the proceedings have been completed, including consideration by the governing board of the institution. The president and the faculty member will be notified of the decision in writing and will be given a copy of the record of the hearing.

(16) If the hearing committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the president. If the president rejects the report, the president will state the reasons for doing so, in writing, to the hearing committee and to the faculty member, and provide an opportunity for response before transmitting the case to the governing board. If the hearing committee concludes that adequate cause for a dismissal has been established, but that an academic penalty less than dismissal would be
more appropriate, it will so recommend, with supporting reasons.

6. Action by the Governing Board
If dismissal or other severe sanction is recommended, the president will, on request of the faculty member, transmit to the governing board the record of the case. The governing board’s review will be based on the record of the committee hearing, and it will provide opportunity for argument, oral or written or both, by the principals at the hearings or by their representatives. The decision of the hearing committee will either be sustained or the proceeding returned to the committee with specific objections. The committee will then reconsider, taking into account the stated objections and receiving new evidence if necessary. The governing board will make a final decision only after study of the committee’s reconsideration.

7. Procedures for Imposition of Sanctions Other Than Dismissal
a. If the administration believes that the conduct of a faculty member, although not constituting adequate cause for dismissal, is sufficiently grave to justify imposition of a severe sanction, such as suspension from service for a stated period, the administration may institute a proceeding to impose such a severe sanction; the procedures outlined in Regulation 5 will govern such a proceeding.

b. If the administration believes that the conduct of a faculty member justifies imposition of a minor sanction, such as a reprimand, it will notify the faculty member of the basis of the proposed sanction and provide the faculty member with an opportunity to persuade the administration that the proposed sanction should not be imposed. A faculty member who believes that a major sanction has been incorrectly imposed under this paragraph, or that a minor sanction has been unjustly imposed, may, pursuant to Regulation 16, petition the faculty grievance committee for such action as may be appropriate.

8. Terminal Salary or Notice
If the appointment is terminated, the faculty member will receive salary or notice in accordance with the following schedule: at least three months, if the final decision is reached by March 1 (or three months prior to the expiration) of the first year of probationary service; at least six months, if the decision is reached by December 15 of the second year (or after nine months but prior to eighteen months) of probationary service; at least one year, if the decision is reached after eighteen months of probationary service or if the faculty member has tenure. This provision for terminal notice or salary need not apply in the event that there has been a finding that the conduct which justified dismissal involved moral turpitude. On the recommendation of the faculty hearing committee or the president, the governing board, in determining what, if any, payments will be made beyond the effective date of dismissal, may take into account the length and quality of service of the faculty member.

9. Academic Freedom and Protection against Discrimination
a. All members of the faculty, whether tenured or not, are entitled to academic freedom as set forth in the 1940 Statement of Principles on Academic Freedom and Tenure, formulated by the Association of American Colleges and Universities and the American Association of University Professors.

b. All members of the faculty, whether tenured or not, are entitled to protection against illegal or unconstitutional discrimination by the institution, or discrimination on a basis not demonstrably related to the faculty member’s professional performance, including but not limited to race, sex, religion, national origin, age, disability, marital status, or sexual orientation.

10. Complaints of Violation of Academic Freedom or of Discrimination in Nonreappointment
If a faculty member on probationary or other nontenured appointment alleges that a decision against reappointment was based significantly on considerations that violate (a) academic freedom or (b) governing policies on making appointments without prejudice with respect to race, sex, religion, national origin, age, disability, marital status, or sexual orientation, the allegation will be given preliminary consideration by the [insert name of committee], which will seek to settle the matter by informal methods. The allegation will be accompanied by a statement that the faculty member agrees to the presentation, for the consideration of the faculty committee, of such reasons and evidence as the institution may allege in support of its decision. If the difficulty is unresolved at this stage, and if the committee so recommends, the matter will be heard in the manner set forth in Regulations 5 and 6, except that the faculty member making the complaint is responsible for stating the grounds upon which the allegations are based, and the burden of proof will rest upon the faculty member. If the faculty member
succeeds in establishing a prima facie case, it is incumbent upon those who made the decision against reappointment to come forward with evidence in support of their decision. Statistical evidence of improper discrimination may be used in establishing a prima facie case.

11. Administrative Personnel
The foregoing regulations apply to administrative personnel who hold academic rank, but only in their capacity as faculty members. Administrators who allege that a consideration that violates academic freedom, or governing policies against improper discrimination as stated in Regulation 10, significantly contributed to a decision to terminate their appointment to an administrative post, or not to reappoint them, are entitled to the procedures set forth in Regulation 10.

12. Political Activities of Faculty Members
Faculty members, as citizens, are free to engage in political activities. Where necessary, leaves of absence may be given for the duration of an election campaign or a term of office, on timely application, and for a reasonable period of time. The terms of such leave of absence will be set forth in writing, and the leave will not affect unfavorably the tenure status of a faculty member, except that time spent on such leave will not count as probationary service unless otherwise agreed to.

13. Part-Time Faculty Appointments
a. The terms and conditions of every appointment to a part-time nontenured faculty position will be stated in writing, including the length of service. A copy of the appointment document will be provided to the part-time faculty member.

b. In a case of dismissal before the end of the period of appointment, the administration will set forth cause for the action and the faculty member will have the right to a hearing before a faculty committee.

c. In a case of nonreappointment, if a part-time faculty member establishes a prima facie case, to the satisfaction of a duly constituted faculty committee, that considerations that violate academic freedom or governing policies against improper discrimination significantly contributed to his or her nonretention, it is incumbent on those who made the decision to come forward with evidence in support of that decision.

d. After having been reappointed beyond an initial term, a part-time faculty member who is subsequently notified of nonreappointment will be advised upon request of the reasons that contributed to the decision. Upon the faculty member's further request, the reasons will be confirmed in writing. The faculty member will be afforded opportunity for review of the decision by a faculty committee.

e. For part-time faculty members who have served for three or more terms within a span of three years, the following additional protections of due process apply:

(1) Written notice of reappointment or nonreappointment will be issued no later than one month before the end of the existing appointment. If the notice of reappointment is to be conditioned, for example, on sufficiency of student enrollment or on financial considerations, the specific conditions will be stated with the issuance of the notice.

(2) If the faculty member notified of nonreappointment alleges that the decision was based significantly on considerations that violate academic freedom or governing policies against improper discrimination, the allegation will be subject to review in the manner set forth in Regulation 10.

(3) When the part-time faculty member is denied reappointment to an available assignment (one with substantially identical responsibilities assigned to another part-time faculty member with less service), if the nonreappointed faculty member alleges that the decision was based on inadequate consideration, the allegation will be subject to review by a faculty body. If this body, while not providing judgment on the merits of the decision, finds that the consideration has been inadequate in any substantial respects, it will remand the matter for further consideration accordingly.

f. Prior to consideration of reappointment beyond a seventh year, part-time faculty members who have taught at least twelve courses or six terms within those seven years shall be provided a comprehensive review with a view toward (1) appointment with part-time tenure where such exists, (2) appointment with part-time continuing service, or (3) nonreappointment. Those appointed with tenure shall be afforded the same procedural safeguards as full-time tenured faculty. Those offered additional appointment without tenure shall have
continuing appointments and shall not be replaced by part-time appointees with less service who are assigned substantially identical responsibilities without having been afforded the procedural safeguards associated with dismissal as set forth above in section b.

14. Graduate Student Employees
a. The length, terms, and conditions of every university appointment of a graduate student employee will be stated in writing at the time of the initial appointment. A copy of the appointment document will be supplied to the appointee.¹

a. The graduate student employee on recurring appointments will be advised at the time of initial appointment of the substantive standards, expectations, and procedures generally employed at the institution in decisions affecting renewal, and of any special standards adopted by the graduate student employee's department or school. The graduate student employee will be advised of the time when decisions affecting renewals are made and will be given the opportunity to submit material believed to be helpful to an adequate consideration of his or her circumstances.

c. In a case of dismissal before the end of the period of an academic or professional appointment the graduate student employee will be provided with a statement of reasons for the action, and will have the right to a pretermination hearing before a duly constituted committee. The hearing need not conform in all respects with a proceeding conducted pursuant to Regulation 5, but the essentials of an on-the-record adjudicative hearing will be observed. In such a hearing, the administration will have the burden of showing adequate cause for dismissal.² Adequate cause for a dismissal will be related, directly and substantially, to the fitness of the graduate student employee in his or her professional capacity regarding teaching, research, or other academic duties. Dismissal will not be used to restrain graduate student employees in their exercise of academic freedom or constitutional rights.

d. Written notice of reappointment or nonreappointment will be issued to graduate student academic or professional employees no later than one month before the end of the existing appointment.

e. Graduate student academic or professional employees who are notified of nonreappointment will be advised upon request of the reasons that contributed to the decision. Upon the employee's further request, the reasons will be confirmed in writing. The employee will be afforded the opportunity for review of the decision by a duly constituted committee.

f. In a case of nonreappointment, if a graduate student academic or professional employee establishes a prima facie case, to the satisfaction of a duly constituted committee, that considerations that violate academic freedom or governing policies against improper discrimination based on race, sex, national origin, age, disability, marital status, or sexual orientation significantly contributed to his or her nonretention, it is incumbent on those who made the decision to come forward with evidence in support of that decision.

g. If a graduate student employee who is denied reappointment to an available academic or professional position alleges that the decision was based on inadequate consideration, the allegation will be subject to review by a duly constituted body.³ If this body, while not providing judgment on the merits of the decision, finds that the consideration has been inadequate in any substantial respects, it will remand the matter, recommending to the department that it assess the merits once again, this time remedying the inadequacies of its prior consideration.⁴

h. Graduate student academic or professional employees will have access to the faculty grievance committee, as specified in Regulation 16.

15. Other Academic Staff
a. In no case will a member of the academic staff who is not otherwise protected by the preceding regulations that relate to dismissal proceedings be dismissed without having been provided with a statement of reasons and an opportunity to be heard before a duly constituted committee. A dismissal is a termination before the end of the period of appointment.

b. With respect to the nonreappointment of a member of such academic staff who establishes a prima facie case to the satisfaction of a duly constituted committee that considerations that violate academic freedom, or of governing policies against improper discrimination as stated in Regulation 10, significantly contributed to the nonreappointment, the academic staff member will be given a statement of reasons by those responsible for the
nonreappointment and an opportunity to be heard by the committee.

16. GRIEVANCE PROCEDURE
If any faculty member alleges cause for grievance in any matter not covered by the procedures described in the foregoing regulations, the faculty member may petition the elected faculty grievance committee [here name the committee] for redress. The petition will set forth in detail the nature of the grievance and will state against whom the grievance is directed. It will contain any factual or other data that the petitioner deems pertinent to the case. Statistical evidence of improper discrimination, including discrimination in salary, may be used in establishing a prima facie case. The committee will decide whether or not the facts merit a detailed investigation; if the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision to come forward with evidence in support of their decision. Submission of a petition will not automatically entail investigation or detailed consideration thereof. The committee may seek to bring about a settlement of the issue(s) satisfactory to the parties. If in the opinion of the committee such a settlement is not possible or is not appropriate, the committee will report its findings and recommendations to the petitioner and to the appropriate administrative officer and faculty body, and the petitioner will, upon request, be provided an opportunity to present the grievance to them. The grievance committee will consist of three [or some other number] elected members of the faculty. No officer of administration will serve on the committee.

Note on Implementation
The Recommended Institutional Regulations here presented will require for their implementation a number of structural arrangements and agencies. For example, the Regulations will need support by:

1. channels of communication among all the involved components of the institution, and between them and a concerned faculty member;
2. definitions of corporate and individual faculty status within the college or university government, and of the role of the faculty in decisions relating to academic freedom and tenure; and
3. appropriate procedures for the creation and operation of faculty committees, with particular regard to the principles of faculty authority and responsibility.

The forms which these supporting elements assume will of course vary from one institution to another. Consequently, no detailed description of the elements is attempted in these Recommended Institutional Regulations. With respect to the principles involved, guidance will be found in the Association’s 1966 Statement on Government of Colleges and Universities.

Notes
1. Under the 1940 “Statement of Principles on Academic Freedom and Tenure,” this period may not exceed seven years. However, the Association’s 2001 “Statement of Principles on Family Responsibilities and Academic Work” (AAUP, Policy Documents and Reports. 10th ed. [Washington, D.C., 2006], 219–26) provides that “a faculty member be entitled to stop the clock or extend the probationary period, with or without taking a full or partial leave of absence, if the faculty member (whether male or female) is a primary coequal caregiver of newborn or newly adopted children,” that “institutions allow the tenure clock to be stopped for up to one year for each child, and . . . that faculty be allowed to stop the clock only twice, resulting in no more than two one-year extensions of the probationary period.”

2. The exception here noted applies only to an institution where the maximum probationary period exceeds four years.
3. April 15 is the recommended date.
4. This committee, which can be the grievance committee noted in Regulation 16, is to be an elected faculty body. Similarly, the members of the committees noted in Regulations 4c(2), 4d(3), 10, 13, and 14 are to be elected. A committee of faculty members appointed by an appropriate elected faculty body can substitute for a committee that is elected directly.
5. See “The Role of the Faculty in Budgetary and Salary Matters,” Policy Documents and Reports, 149–52, especially the following passages:

The faculty should participate both in the preparation of the total institutional budget and (within the framework of the total budget) in decisions relevant to the further apportioning of its specific fiscal divisions (salaries, academic programs, tuition, physical plant and grounds, and so on). The soundness of resulting decisions should be enhanced if an elected representative committee of the faculty participates in deciding on the overall allocation of institutional resources and the proportion to be devoted directly to the academic program. This committee should be given access to all information that it requires to perform its task effectively, and it should have the opportunity to confer periodically with representatives of the administration and governing board.

Circumstances of financial exigency obviously pose special problems. At institutions experiencing major
threats to their continued financial support, the faculty
should be informed as early and specifically as possible of
significant impending financial difficulties. The faculty
—with substantial representation from its nontenured as
well as its tenured members, since it is the former who
are likely to bear the brunt of the reduction—should
participate at the department, college or professional
school, and institution-wide levels in key decisions as to
the future of the institution and of specific academic pro-
grams within the institution. The faculty, employing
accepted standards of due process, should assume pri-
mary responsibility for determining the status of individ-
ual faculty members.
6. See "Statement on Government of Colleges and Uni-
versities," Policy Documents and Reports, 135–40, especially
the following passage:
Faculty status and related matters are primarily a faculty
responsibility; this area includes appointments, reap-
pointments, decisions not to reappoint, promotions, the
granting of tenure, and dismissal. The primary responsi-
bility of the faculty for such matters is based upon the fact
that its judgment is central to general educational policy.
7. When discontinuance of a program or department is man-
dated by financial exigency of the institution, the standards of
Regulation 4c above will apply.
8. This committee should not be the same as the committee
referred to in Regulation 5b(2).
9. Regulations of the institution should provide for alter-
mates, or for some other method of filling vacancies on the hear-
ing committee resulting from disqualification, challenge without
stated cause, illness, resignation, or other reason.
10. See "Statement on Professors and Political Activity,"
Policy Documents and Reports, 33–34.
11. This regulation does not apply to faculty members with
reduced loads who are tenured or probationary for tenure and
who have the protections of due process that are provided in
Regulations 2, 4, 5, 6, 7, and 8. It does apply to all other faculty
members whose appointments are less than full time, whatever
their rank or title and whether they are paid on a pro-rata,
a per-course, or any other basis.
12. As stated in Regulation 5a, "Adequate cause for a dis-
missal will be related, directly and substantially, to the fitness of
faculty members in their professional capacities as teachers or
researchers. Dismissal will not be used to restrain faculty mem-
bers in their exercise of academic freedom or other rights of
American citizens."
or Nonrenewal of Faculty Appointments" (Policy Documents
and Reports, 16–21), especially the following passages:
It is easier to state what the standard "adequate consid-
eration" does not mean than to specify in detail what it
does. It does not mean that the review committee should
substitute its own judgment for that of members of the
department on the merits of whether the candidate
should be reappointed or given tenure. The conscien-
tious judgment of the candidate's departmental col-
leagues must prevail if the invaluable tradition of
departmental autonomy in professional judgments is to
prevail. The term "adequate consideration" refers
especially to procedural rather than to substantive
issues: Was the decision conscientiously arrived at? Was all
available evidence bearing on the relevant perfor-
ance of the candidate sought out and considered? Was there
adequate deliberation by the department over the
import of the evidence in the light of the relevant stan-
dards? Were irrelevant and improper standards exclud-
ed from consideration? Was the decision a bona fide
exercise of professional academic judgment? These are
the kinds of questions suggested by the standard "ade-
quate consideration."
If, in applying this standard, the review committee
concludes that adequate consideration was not given, its
appropriate response should be to recommend to the
department that it assess the merits once again, this time
remedying the inadequacies of its prior consideration.
14. Universities assume responsibilities when they accept
graduate students with a promise of financial support.
Graduate student employees have a legitimate expectation of
fulfillment of the promise unless legitimate cause to terminate
support is shown. If the cause relates to the graduate student
employee's work and/or academic performance or progress, the
employee should be given sufficient time and opportunity to
redress the concern.
15. According to the Association's Statement on Collective
Bargaining, "Participation in a strike or other work action
does not by itself constitute grounds for dismissal or nonreap-
pointment or for imposing other sanctions against faculty
members."
16. For comment on the term "adequate consideration," see
Footnote 13, supra.
17. Nonreappointment conditioned on inadequate academ-
ic performance as a graduate student may be reviewed in the
manner provided in Committee A's statement on "The
Assignment of Course Grades and Student Appeals," Policy
Documents and Reports, 127.8.
18. Each institution should define with particularity who are
members of the academic staff.
1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments

In 1940, following a series of joint conferences begun in 1934, representatives of the American Association of University Professors and of the Association of American Colleges (now the Association of American Colleges and Universities) agreed upon a restatement of principles set forth in the 1925 Conference Statement on Academic Freedom and Tenure. This restatement is known to the profession as the 1940 Statement of Principles on Academic Freedom and Tenure. The 1940 Statement is printed below, followed by Interpretive Comments as developed by representatives of the American Association of University Professors and the Association of American Colleges in 1969. The governing bodies of the two associations, meeting respectively in November 1989 and January 1990, adopted several changes in language in order to remove gender-specific references from the original text.

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to ensure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

Tenure is a means to certain ends; specifically: (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

Academic Freedom

1. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

2. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they

1. The word “teacher” as used in this document is understood to include the investigator who is attached to an academic institution without teaching duties.

2. Boldface numbers in brackets refer to Interpretive Comments that follow.
should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.[4]

Academic Tenure
After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies.

In the interpretation of this principle it is understood that the following represents acceptable academic practice:

1. The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.

2. Beginning with appointment to the rank of full-time instructor or a higher rank,[5] the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution, it may be agreed in writing that the new appointment is for a probationary period of not more than four years, even though thereby the person’s total probationary period in the academic profession is extended beyond the normal maximum of seven years.[6] Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.[7]

3. During the probationary period a teacher should have the academic freedom that all other members of the faculty have.[8]

4. Termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, should, if possible, be considered by both a faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges and should have the opportunity to be heard in his or her own defense by all bodies that pass judgment upon the case. The teacher should be permitted to be accompanied by an advisor of his or her own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of teachers and other scholars, either from the teacher’s own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.[9]

5. Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.

1940 Interpretations
At the conference of representatives of the American Association of University Professors and of the Association of American Colleges on November 7–8, 1940, the following interpretations of the 1940 Statement of Principles on Academic Freedom and Tenure were agreed upon:

1. That its operation should not be retroactive.

2. That all tenure claims of teachers appointed prior to the endorsement should be determined in accordance with the principles set forth in the 1925 Conference Statement on Academic Freedom and Tenure.

3. If the administration of a college or university feels that a teacher has not observed the admonitions of paragraph 3 of the section on Academic Freedom and believes that the extramural utterances of the teacher have been such as to raise grave doubts concerning the teacher’s fitness for his or her position, it may proceed to file charges under paragraph 4 of the section on Academic Tenure. In pressing such charges, the administration should remember that
teachers are citizens and should be accorded the freedom of citizens. In such cases the administration must assume full responsibility, and the American Association of University Professors and the Association of American Colleges are free to make an investigation.

1970 Interpretive Comments
Following extensive discussions on the 1940 Statement of Principles on Academic Freedom and Tenure with leading educational associations and with individual faculty members and administrators, a joint committee of the AAUP and the Association of American Colleges met during 1969 to reevaluate this key policy statement. On the basis of the comments received, and the discussions that ensued, the joint committee felt the preferable approach was to formulate interpretations of the Statement in terms of the experience gained in implementing and applying the Statement for over thirty years and of adapting it to current needs.

The committee submitted to the two associations for their consideration the following “Interpretive Comments.” These interpretations were adopted by the Council of the American Association of University Professors in April 1970 and endorsed by the Fifty-sixth Annual Meeting as Association policy.

In the thirty years since their promulgation, the principles of the 1940 Statement of Principles on Academic Freedom and Tenure have undergone a substantial amount of refinement. This has evolved through a variety of processes, including customary acceptance, understandings mutually arrived at between institutions and professors or their representatives, investigations and reports by the American Association of University Professors, and formulations of statements by that association either alone or in conjunction with the Association of American Colleges. These comments represent the attempt of the two associations, as the original sponsors of the 1940 Statement, to formulate the most important of these refinements. Their incorporation here as Interpretive Comments is based upon the premise that the 1940 Statement is not a static code but a fundamental document designed to set a framework of norms to guide adaptations to changing times and circumstances.

Also, there have been relevant developments in the law itself reflecting a growing insistence by the courts on due process within the academic community which parallels the essential concepts of the 1940 Statement; particularly relevant is the identification by the Supreme Court of academic freedom as a right protected by the First Amendment. As the Supreme Court said in Keyishian v. Board of Regents, 385 U.S. 589 (1967), “Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom.”

The numbers refer to the designated portion of the 1940 Statement on which interpretive comment is made.

1. The Association of American Colleges and the American Association of University Professors have long recognized that membership in the academic profession carries with it special responsibilities. Both associations either separately or jointly have consistently affirmed these responsibilities in major policy statements, providing guidance to professors in their utterances as citizens, in the exercise of their responsibilities to the institution and to students, and in their conduct when resigning from their institution or when undertaking government-sponsored research. Of particular relevance is the Statement on Professional Ethics, adopted in 1966 as Association policy. (A revision, adopted in 1987, may be found in AAUP, Policy Documents and Reports, 10th ed. [Washington, D.C., 2006], 171–72.)

2. The intent of this statement is not to discourage what is “controversial.” Controversy is at the heart of the free academic inquiry which the entire statement is designed to foster. The passage serves to underscore the need for teachers to avoid persistently intruding material which has no relation to their subject.

3. Most church-related institutions no longer need or desire the departure from the principle of academic freedom implied in the 1940 Statement, and we do not now endorse such a departure.
4. This paragraph is the subject of an interpretation adopted by the sponsors of the 1940 Statement immediately following its endorsement which reads as follows:

If the administration of a college or university feels that a teacher has not observed the admonitions of paragraph 3 of the section on Academic Freedom and believes that the extramural utterances of the teacher have been such as to raise grave doubts concerning the teacher’s fitness for his or her position, it may proceed to file charges under paragraph 4 of the section on Academic Tenure. In pressing such charges, the administration should remember that teachers are citizens and should be accorded the freedom of citizens. In such cases the administration must assume full responsibility, and the American Association of University Professors and the Association of American Colleges are free to make an investigation.

Paragraph 3 of the section on Academic Freedom in the 1940 Statement should also be interpreted in keeping with the 1964 Committee A Statement on Extramural Utterances, which states inter alia: “The controlling principle is that a faculty member’s expression of opinion as a citizen cannot constitute grounds for dismissal unless it clearly demonstrates the faculty member’s unfitness for his or her position. Extramural utterances rarely bear upon the faculty member’s fitness for the position. Moreover, a final decision should take into account the faculty member’s entire record as a teacher and scholar.”

Paragraph 5 of the Statement on Professional Ethics also deals with the nature of the “special obligations” of the teacher. The paragraph reads as follows:

As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Both the protection of academic freedom and the requirements of academic responsibility apply not only to the full-time probationary and the tenured teacher, but also to all others, such as part-time faculty and teaching assistants, who exercise teaching responsibilities.

5. The concept of “rank of full-time instructor or a higher rank” is intended to include any person who teaches a full-time load regardless of the teacher’s specific title.3

6. In calling for an agreement “in writing” on the amount of credit given for a faculty member’s prior service at other institutions, the Statement furthers the general policy of full understanding by the professor of the terms and conditions of the appointment. It does not necessarily follow that a professor’s tenure rights have been violated because of the absence of a written agreement on this matter. Nonetheless, especially because of the variation in permissible institutional practices, a written understanding concerning these matters at the time of appointment is particularly appropriate and advantageous to both the individual and the institution.4

7. The effect of this subparagraph is that a decision on tenure, favorable or unfavorable, must be made at least twelve months prior to the completion of the probationary period. If the decision is negative, the appointment for the following year becomes a terminal one. If the decision is affirmative, the provisions in the 1940 Statement with respect to the termination of service of teachers or investigators after the expiration of a probationary period should apply from the date when the favorable decision is made.


The general principle of notice contained in this paragraph is developed with greater specificity in the Standards for Notice of Nonreappointment, endorsed by the Fiftieth Annual Meeting of the American Association of University Professors (1964). These standards are:

Notice of nonreappointment, or of intention not to recommend reappointment to the governing board, should be given in writing in accordance with the following standards:

1. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.

2. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.

3. At least twelve months before the expiration of an appointment after two or more years in the institution.

Other obligations, both of institutions and of individuals, are described in the Statement on Recruitment and Resignation of Faculty Members, as endorsed by the Association of American Colleges and the American Association of University Professors in 1961.

8. The freedom of probationary teachers is enhanced by the establishment of a regular procedure for the periodic evaluation and assessment of the teacher’s academic performance during probationary status. Provision should be made for regularized procedures for the consideration of complaints by probationary teachers that their academic freedom has been violated. One suggested procedure to serve these purposes is contained in the Recommended Institutional Regulations on Academic Freedom and Tenure, prepared by the American Association of University Professors.

9. A further specification of the academic due process to which the teacher is entitled under this paragraph is contained in the Statement on Procedural Standards in Faculty Dismissal Proceedings, jointly approved by the American Association of University Professors and the Association of American Colleges in 1958. This interpretive document deals with the issue of suspension, about which the 1940 Statement is silent.

The 1958 Statement provides: “Suspension of the faculty member during the proceedings is justified only if immediate harm to the faculty member or others is threatened by the faculty member’s continuance. Unless legal considerations forbid, any such suspension should be with pay.” A suspension which is not followed by either reinstatement or the opportunity for a hearing is in effect a summary dismissal in violation of academic due process.

The concept of “moral turpitude” identifies the exceptional case in which the professor may be denied a year’s teaching or pay in whole or in part. The statement applies to that kind of behavior which goes beyond simply warranting discharge and is so utterly blameworthy as to make it inappropriate to require the offering of a year’s teaching or pay. The standard is not that the moral sensibilities of persons in the particular community have been affronted. The standard is behavior that would evoke condemnation by the academic community generally.

Endorsers
Association of American Colleges and Universities ................................. 1941
American Association of University Professors ................................. 1941
American Library Association (adapted for librarians) ......................... 1946
Association of American Law Schools ................................................. 1946
American Political Science Association .............................................. 1947
American Association of Colleges for Teacher Education ..................... 1950
American Association for Higher Education ....................................... 1950
Eastern Psychological Association .................................................... 1950
Southern Society for Philosophy and Psychology .............................. 1953
American Dialect Society ................................................................. 1968
University Film and Video Association ........................................ 1968
American Society of Plant Physiologists ....................................... 1968
American Association for Chinese Studies ..................................... 1968
Eastern Finance Association ........................................................ 1968
American Association of Teachers of French ................................. 1968
American Society of Christian Ethics .......................................... 1968
Phi Beta Kappa Society ................................................................. 1968
American Society of Plant Physiologists ....................................... 1968
University Film and Video Association ........................................ 1968
American Dialect Society .............................................................. 1968

American Psychological Association .............................................. 1961
American Historical Association .................................................. 1961
Modern Language Association of America ..................................... 1962
American Economic Association .................................................. 1962
American Agricultural Economics Association ............................... 1962
Midwest Sociological Society ........................................................ 1963
Organization of American Historians ............................................. 1963
American Philological Association ................................................. 1963
American Council of Learned Societies ........................................ 1963
Speech Communication Association ............................................. 1963
American Sociological Association .............................................. 1963
Southern Historical Association ................................................. 1963
American Studies Association ...................................................... 1963
Association of American Geographers ......................................... 1963
Southern Economic Association ................................................... 1963
Classical Association of the Middle West and South .................... 1964
Southwestern Social Science Association ..................................... 1964
Archaeological Institute of America ............................................. 1964
Southern Management Association ............................................. 1964
American Theatre Association .................................................... 1964
South Central Modern Language Association ............................... 1964
Southwestern Philosophical Society ............................................. 1964
Council of Independent Colleges ............................................... 1965
Mathematical Association of America ......................................... 1965
Arizona-Nevada Academy of Science .......................................... 1965
American Risk and Insurance Association ................................... 1965
Academy of Management ............................................................. 1965
American Catholic Historical Association ................................... 1966
American Catholic Philosophical Association ............................... 1966
Association for Education in Journalism and Mass Communication ... 1966
Western History Association ....................................................... 1966
Mountain-Plains Philosophical Conference .................................. 1966
Society of American Archivists .................................................... 1966
Southeastern Psychological Association ....................................... 1966
Southern Speech Communication Association .............................. 1966
American Association for the Advancement of Slavic Studies ......... 1967
American Mathematical Society ................................................... 1967
College Theology Society ............................................................. 1967
Council on Social Work Education .............................................. 1967
American Association of Colleges of Pharmacy ........................... 1967
American Academy of Religion ................................................... 1967
Association for the Sociology of Religion ..................................... 1967
American Society of Journalism School Administrators .............. 1967
John Dewey Society ................................................................. 1967
South Atlantic Modern Language Association ............................... 1967
American Finance Association ..................................................... 1967
Association for Social Economics ................................................. 1967
Phi Beta Kappa Society ................................................................. 1968
American Society of Christian Ethics .......................................... 1968
American Association of Teachers of French ............................... 1968
Eastern Finance Association ........................................................ 1968
American Association for Chinese Studies ................................... 1968
American Society of Plant Physiologists ....................................... 1968
University Film and Video Association ........................................ 1968
American Dialect Society .............................................................. 1968
American Speech-Language-Hearing Association ........................................... 1968
Association of Social and Behavioral Scientists ....................................... 1968
College English Association ................................................................. 1968
National College Physical Education Association for Men ........................ 1969
American Real Estate and Urban Economics Association ........................... 1969
History of Education Society ..................................................................... 1969
Council for Philosophical Studies .............................................................. 1969
American Musicological Society ............................................................... 1969
American Association of Teachers of Spanish and Portuguese .................... 1969
Texas Community College Teachers Association ....................................... 1970
College Art Association of America .......................................................... 1970
Society of Professors of Education ............................................................ 1970
American Anthropological Association ...................................................... 1970
Association of Theological Schools ............................................................ 1970
Association of Schools of Journalism and Mass Communication .............. 1971
American Business Law Association ........................................................ 1971
American Council for the Arts .................................................................. 1972
New York State Mathematics Association of Two-Year Colleges .................. 1972
College Language Association ................................................................... 1973
Pennsylvania Historical Association ......................................................... 1973
Massachusetts Regional Community College Faculty Association ............. 1973
American Philosophical Associationº ......................................................... 1974
American Classical League ....................................................................... 1974
American Comparative Literature Association .......................................... 1974
Rocky Mountain Modern Language Association ....................................... 1974
Society of Architectural Historians ............................................................. 1975
American Statistical Association ............................................................... 1975
American Folklore Society ........................................................................ 1975
Association for Asian Studies ..................................................................... 1975
Linguistic Society of America ..................................................................... 1975
African Studies Association ....................................................................... 1975
American Institute of Biological Sciences ............................................... 1975
North American Conference on British Studies ......................................... 1975
Sixteenth-Century Studies Conference ..................................................... 1975
Texas Association of College Teachers ...................................................... 1976
Society for Spanish and Portuguese Historical Studies ............................... 1976
Association for Jewish Studies .................................................................... 1976
Western Speech Communication Association .......................................... 1976
Texas Association of Colleges for Teacher Education ................................ 1977
Metaphysical Society of America ............................................................... 1977
American Chemical Society ....................................................................... 1977
Texas Library Association ......................................................................... 1977
American Society for Legal History ........................................................... 1977
Iowa Higher Education Association ............................................................ 1977
American Physical Therapy Association .................................................... 1979
North Central Sociological Association ...................................................... 1980
Dante Society of America .......................................................................... 1980
National Communication Association ...................................................... 1981
American Association of Physics Teachers ................................................. 1982
Middle East Studies Association ............................................................... 1982

5. Endorsed by the association’s Western Division in 1952, Eastern Division in 1953, and Pacific Division in 1962.
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Society for Historians of American Foreign Relations .......................................... 2006
American Society of Plant Taxonomists ............................................................... 2006
Law and Society Association .................................................................................. 2006
On Crediting Prior Service Elsewhere as Part of the Probationary Period

The statement that follows was approved by the Association’s Committee A on Academic Freedom and Tenure and adopted by the Association’s Council in June 1978.

The 1940 Statement of Principles on Academic Freedom and Tenure defines the probationary period for faculty members as follows:

Beginning with appointment to the rank of full-time instructor or a higher rank, the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution, it may be agreed in writing that the new appointment is for a probationary period of not more than four years, even though thereby the person’s total probationary period in the academic profession is extended beyond the normal maximum of seven years. Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.¹

The underlying objective of the foregoing provision is to recognize university teaching as a profession in which, after a limited probationary period to demonstrate professional competence in their positions, faculty members achieve tenure in order to protect academic freedom and provide a reasonable degree of economic security. Tenure in the profession as a whole, rather than at a particular institution, is not a practical possibility, since a faculty appointment is at a given institution. Nevertheless, to the extent that experience anywhere provides relevant evidence about competence, excessive probation can occur not only at one institution but also through failure to grant any probationary credit for service at one or more previous institutions.

The 1940 Statement recognizes, however, that, because there is great diversity among institutions, not all experience is interchangeable, and that an institution may properly wish to determine whether an individual meets its standards for permanent appointment by on-the-spot experience. Thus a minimum probationary period, up to four years, at a given institution is a reasonable arrangement in appointing a person with prior service. It meets a reasonable demand of institutions that wish to make considered decisions on tenure based on performance at those institutions, and the needs of individuals who wished to obtain appointments that might not otherwise have been available to them because of insufficient time for evaluation.

The Association has long had complaints, primarily from research-oriented institutions, that the mandated counting of prior service elsewhere made it risky for them to offer appointments to unproved persons whose teaching experience was in a nonresearch setting or incidental to completion of graduate degree requirements. The Association’s response has been to insist that the institutions and the individuals concerned should bear these risks, rather than allow for probationary service that exceeds four years at the current institution with the total probationary years in excess of seven.

One consequence of the above, however, is that if an institution adheres to the provision for crediting prior service it is less likely to appoint persons with countable prior service but without demonstrated competence in their current position. Thus avoidance of excessive probation may result, particularly in a “buyer’s” market, in unemployability. A second consequence is that institutions sometimes simply disassociate themselves from the 1940 Statement in the matter.
Each consequence is unfortunate, and either suggests that departures from the existing proviso, to adjust to its changed impact, be allowed under certain circumstances.

Nevertheless, the Association continues to take the position that the 1940 Statement’s proviso for crediting prior service is sound, and it urges adherence to this position. It is particularly opposed to belated arrangements not to count prior service that are made in order to avoid an impending decision on tenure. The Association recognizes, however, that in specific cases the interests of all parties may best be served through agreement at the time of initial appointment to allow for more than four years of probationary service at the current institution (but not exceeding seven years), whatever the prior service elsewhere. Significantly different current responsibilities or a significantly different institutional setting can be persuasive factors in deciding that it is desirable to provide for a fuller current period of probation. In these specific cases, if the policy respecting the probationary period has been approved by the faculty or a representative faculty body, the Association will not view an agreement not to credit prior service as a violation of principles of academic freedom and tenure warranting an expression of Association concern.

In dealing with previous service, the 1940 Statement’s admonition that “the precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated” is particularly important. The years of previous service to be credited should be determined and set forth in writing at the time of initial appointment.

The previous service that should be taken into account is full-time faculty service at an institution of higher education that was accredited or was an official candidate for accreditation by a recognized United States accrediting agency.

Questions on whether to take into account previous service that occurred many years in the past, or previous service in a distinctly different area, should be referred to an appropriate faculty committee at the time of initial appointment.

Note
1. According to the 1970 Interpretive Comment Number 5: “The concept of ‘rank of full-time instructor or a higher rank’ is intended to include any person who teaches a full-time load regardless of the teacher’s specific title” (AAUP, Policy Documents and Reports, 10th ed. [Washington, D.C., 2006], 6).
Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments

The statement that follows, a revision of a statement originally adopted in 1971, was approved by the Association’s Committee A on Academic Freedom and Tenure, adopted by the Association’s Council in November 1989, and endorsed by the Seventy-sixth Annual Meeting.

Except for special appointments clearly designated at the outset as involving only a brief association with the institution, all full-time faculty appointments are either with continuous tenure or probationary for tenure. Procedures bearing on the renewal or nonrenewal of probationary appointments are this statement’s concern.

The Probationary Period: Standards and Criteria

The 1940 Statement of Principles on Academic Freedom and Tenure prescribes that “during the probationary period a teacher should have the academic freedom that all other members of the faculty have.” The Association’s Recommended Institutional Regulations on Academic Freedom and Tenure prescribe further that “all members of the faculty, whether tenured or not, are entitled to protection against illegal or unconstitutional discrimination by the institution, or discrimination on a basis not demonstrably related to the faculty member’s professional performance.” A number of the rights of nontenured faculty members provide support for their academic freedom and protection against improper discrimination. They cannot, for example, be dismissed before the end of a term appointment except for adequate cause that has been demonstrated through academic due process—a right they share with tenured members of the faculty. If they assert that they have been given notice of nonreappointment in violation of academic freedom or because of improper discrimination, they are entitled to an opportunity to establish their claim in accordance with Regulation 10 of the Recommended Institutional Regulations. They are entitled to timely notice of nonreappointment in accordance with the schedule prescribed in the statement on Standards for Notice of Nonreappointment.

Lacking the reinforcement of tenure, however, academic freedom and protection against improper discrimination for probationary faculty members have depended primarily upon the understanding and support of their tenured colleagues, the administration, and professional organizations, especially the American Association of University Professors. In the Statement on Government of Colleges and Universities, the Association has asserted that “faculty status and related matters are primarily a faculty responsibility; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal.” Collegial deliberation of the kind envisioned by the Statement on Government will minimize the risk of a violation of academic freedom, of improper discrimination, and of a decision that is arbitrary or based on inadequate consideration.

Frequently, young faculty members have had no training or experience in teaching, and their first major research endeavor may still be uncompleted at the time they start their careers as college teachers. Under these circumstances, it is particularly important that there be a probationary period—a maximum of seven years under the 1940 Statement of Principles on Academic Freedom and Tenure—before tenure is granted. Such a period gives probationary faculty members time to prove themselves, and their colleagues time to observe and evaluate them on the basis of their performance in the position rather than on the basis only of their education, training, and recommendations.
Good practice requires that the institution (department, college, or university) define its criteria for reappointment and tenure and its procedures for reaching decisions on these matters. The 1940 Statement of Principles prescribes that “the precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.” Moreover, fairness to probationary faculty members prescribes that they be informed, early in their appointments, of the substantive and procedural standards that will be followed in determining whether or not their appointments will be renewed or tenure will be granted.

The Association accordingly recommends:

1. **Criteria and Notice of Standards.** Probationary faculty members should be advised, early in their appointment, of the substantive and procedural standards generally accepted in decisions affecting renewal and tenure. Any special standards adopted by their particular departments or schools should also be brought to their attention.

The **Probationary Period: Evaluation and Decision**

The relationship of the senior and junior faculty should be one of colleagueship, even though nontenured faculty members know that in time they will be judged by their senior colleagues. Thus the procedures adopted for evaluation and possible notification of nonrenewal should not endanger this relationship where it exists, and should encourage it where it does not. Nontenured faculty members should have available to them the advice and assistance of their senior colleagues; and the ability of senior colleagues to make a sound decision on renewal or tenure will be enhanced if an opportunity is provided for a regular review of the candidate’s qualifications. A conjunction of the roles in counseling and evaluation may be productive: for example, an evaluation, whether interim or at the time of final determination of renewal or tenure, should be presented in such a manner as to assist nontenured faculty members as they strive to improve their performance.

Any recommendation regarding renewal or tenure should be reached by an appropriate faculty group in accordance with procedures approved by the faculty. Because it is important to both the faculty member and the decision-making body that all significant information be considered, the candidate should be notified that a decision is to be made regarding renewal of appointment or the granting of tenure and should be afforded an opportunity to submit material that the candidate believes to be relevant to the decision.

The Association accordingly recommends:

2. **a. Periodic Review.** There should be provision for periodic review of a faculty member’s situation during the probationary service.

   **b. Opportunity to Submit Material.** Probationary faculty members should be advised of the time when decisions affecting renewal and tenure are ordinarily made, and they should be given the opportunity to submit material that they believe will be helpful to an adequate consideration of their circumstances.

Observance of the practices and procedures outlined above should minimize the likelihood of reasonable complaint if nontenured faculty members are given notice of nonreappointment. They will have been informed of the criteria and procedures for renewal and tenure; they will have been counseled by faculty colleagues; they will have been given an opportunity to have all material relevant to their evaluation considered; and they will have a timely decision representing the views of faculty colleagues.

**Notice of Reasons**

Since 1971 it has been the Association’s position, reached after careful examination of advantages and disadvantages, that nontenured faculty members notified of nonreappointment should, upon request, receive a statement of the reasons for the decision. In reaching this position, the Association considered the needs both of the institution and of the individual faculty member.
A major responsibility of the institution is to recruit and retain the best-qualified faculty within its goals and means. In a matter of such fundamental importance, the institution, through the appropriate faculty agencies, must be accorded the widest latitude consistent with academic freedom, equal opportunity, and the standards of fairness. The Association recognized that the requirement of giving reasons could lead, however erroneously, to an expectation that the decision-making body must justify its decision. A notice of nonreappointment could thus become confused with dismissal for cause, and under these circumstances the decision-making body could become reluctant to reach adverse decisions that might culminate in grievance procedures. As a result there was some risk that the important distinction between tenure and probation would be eroded.

Weighed against these important institutional concerns, however, were the interests of the individual faculty members. They could be honestly unaware of the reasons for a negative decision, and the decision could be based on a judgment of shortcomings which they could easily remedy if informed of them. A decision not to renew an appointment could be based on erroneous information which the faculty member could readily correct if informed of the basis for the decision. Again, the decision could be based on considerations of institutional policy or program development that have nothing to do with the faculty member’s professional competence, and if not informed of the reasons, the faculty member could mistakenly assume that a judgment of inadequate performance has been made. In the face of a persistent refusal to supply the reasons, a faculty member may be more inclined to attribute improper motivations to the decision-making body or to conclude that its evaluation has been based upon inadequate consideration. If the faculty member wished to request a reconsideration of the decision, or a review by another body, ignorance of the reasons for the decision would create difficulties both in reaching a decision whether to initiate such a request and in presenting a case for reconsideration or review.

The Association’s extensive experience with specific cases since 1971 has confirmed its conclusion that the reasons in support of the faculty member’s right to be informed outweigh the countervailing risks. Every notice of nonreappointment, however, need not be accompanied by a written statement of the reasons for nonreappointment. It may not always be to the advantage of the faculty member to be informed of the reasons for nonreappointment, particularly in writing. The faculty member may be placed under obligation to divulge them to the appointing body of another institution if it inquired. Similarly, a written record is likely to become the basis for continuing responses by the faculty member’s former institution to prospective appointing bodies.

At many institutions, moreover, the procedures of evaluation and decision may make it difficult, if not impossible, to compile a statement of reasons that precisely reflects the basis of the decision. When a number of faculty members participate in the decision, they may oppose a reappointment for a variety of reasons, few or none of which may represent a majority view. To include every reason, no matter how few have held it, in a written statement to the faculty member may misrepresent the general view and damage unnecessarily both the morale and the professional future of the faculty member.

In many situations, of course, a decision not to reappoint will not reflect adversely upon the faculty member. An institution may, for example, find it necessary for financial or other reasons to restrict its offerings in a given department. The acquisition of tenure may depend not only upon satisfactory performance but also upon a long-term opening. Nonrenewal in these cases does not suggest a serious adverse judgment. In these situations, providing a statement of reasons, either written or oral, should pose no difficulty, and such a statement may in fact assist the faculty member in searching for a new position.

Should the faculty member, after weighing the considerations cited above, decide to request the reasons for the decision against reappointment, the reasons should be given. The faculty member also should have the opportunity to request a reconsideration by the decision-making body.
The Association accordingly recommends:

3. **Notice of Reasons.** In the event of a decision not to renew an appointment, the faculty member should be informed of the decision in writing, and, upon request, be advised of the reasons which contributed to that decision. The faculty member should also have the opportunity to request a reconsideration by the body or individual that made the decision.

**Written Reasons**

Having been given orally the reasons that contributed to the decision against reappointment, the faculty member, to avoid misunderstanding, may request that they be confirmed in writing. The faculty member may wish to petition the appropriate faculty committee, in accordance with Regulation 10 of the Association’s *Recommended Institutional Regulations*, to consider an allegation that the reasons given, or other reasons that were not stated, constitute a violation of academic freedom or improper discrimination. The faculty member may wish to petition a committee, in accordance with Regulation 15 of the *Recommended Institutional Regulations*, to consider a complaint that the decision resulted from inadequate consideration and was therefore unfair. The faculty member may believe that a written statement of reasons might be useful in pursuing a professional career.

If the department chair or other appropriate institutional officer to whom the request is made believes that confirming the oral statement in writing may be damaging to the faculty member on grounds such as those cited earlier in this statement, it would be desirable for that officer to explain the possible adverse consequences of confirming the oral statement in writing. If, in spite of this explanation, the faculty member continues to request a written statement, the request should be honored.

The Association accordingly recommends:

4. **Written Reasons.** If the faculty member expresses a desire to petition the grievance committee (such as is described in Regulations 10 and 15 of the Association’s *Recommended Institutional Regulations*), or any other appropriate committee, to use its good offices of inquiry, recommendation, and report, or if the request is made for any other reason satisfactory to the faculty member alone, the reasons given in explanation of the nonrenewal should be confirmed in writing.

**Review Procedures: Allegations of Violation of Academic Freedom or of Discrimination**

The best safeguard against a proliferation of grievance petitions on a given campus is the observance of sound principles and procedures of academic freedom and tenure and of institutional government. Observance of the procedures recommended in this statement—procedures that would provide guidance to nontenured faculty members, help assure them of a fair professional evaluation, and enlighten them concerning the reasons contributing to key decisions of their colleagues—should contribute to the achievement of harmonious faculty relationships and the development of well-qualified faculties.

Even with the best practices and procedures, however, faculty members will at times think that they have been improperly or unjustly treated and may wish another faculty group to review a decision of the faculty body immediately involved. The Association believes that fairness to both the individual and the institution requires that the institution provide for such a review when it is requested. The possibility of a violation of academic freedom or of improper discrimination is of vital concern to the institution as a whole, and where either is alleged it is of cardinal importance to the faculty and the administration to determine whether substantial grounds for the allegation exist. The institution should also be concerned to see that decisions respecting reappointment are based upon adequate consideration, and provision should thus be made for a review of allegations by affected faculty members that the consideration has been inadequate.
Because of the broader significance of a violation of academic freedom or of improper discrimination, the Association believes that the procedures to be followed in these two kinds of complaints should be kept separate from a complaint over adequacy of consideration. Regulation 10 of the *Recommended Institutional Regulations* provides a specific procedure for the review of complaints of academic freedom violation or of discrimination:

If a faculty member on probationary or other nontenured appointment alleges that a decision against reappointment was based significantly on considerations that violate (1) academic freedom or (2) governing policies on making appointments without prejudice with respect to race, sex, religion, national origin, age, disability, marital status, or sexual orientation, the allegation will be given preliminary consideration by the [insert name of committee], which will seek to settle the matter by informal methods. The allegation will be accompanied by a statement that the faculty member agrees to the presentation, for the consideration of the faculty committee, of such reasons and evidence as the institution may allege in support of its decision. If the difficulty is unresolved at this stage, and if the committee so recommends, the matter will be heard in the manner set forth in Regulations 5 and 6, except that the faculty member making the complaint is responsible for stating the grounds upon which the allegations are based, and the burden of proof will rest upon the faculty member. If the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision against reappointment to come forward with evidence in support of their decision. Statistical evidence of improper discrimination may be used in establishing a prima facie case.

The Association accordingly recommends:

5. **Petition for Review Alleging an Academic Freedom Violation or Improper Discrimination.**

   Insofar as the petition for review alleges a violation of academic freedom or improper discrimination, the functions of the committee that reviews the faculty member’s petition should be the following:

   a. to determine whether or not the notice of nonreappointment constitutes on its face a violation of academic freedom or improper discrimination;
   
   b. to seek to settle the matter by informal methods;
   
   c. if the matter remains unresolved, to decide whether or not the evidence submitted in support of the petition warrants a recommendation that a formal proceeding be conducted in accordance with Regulations 5 and 6 of the *Recommended Institutional Regulations*, with the burden of proof resting upon the complaining faculty member.

### Review Procedures: Allegations of Inadequate Consideration

Complaints of inadequate consideration are likely to relate to matters of professional judgment, where the department or departmental agency should have primary authority. For this reason, the basic functions of the review committee should be to determine whether the appropriate faculty body gave adequate consideration to the faculty member’s candidacy in reaching its decision and, if the review committee determines otherwise, to request reconsideration by that body.

It is easier to state what the standard “adequate consideration” does not mean than to specify in detail what it does. It does not mean that the review committee should substitute its own judgment for that of members of the department on the merits of whether the candidate should be reappointed or given tenure. The conscientious judgment of the candidate’s departmental colleagues must prevail if the invaluable tradition of departmental autonomy in professional judgments is to prevail. The term “adequate consideration” refers essentially to procedural rather than to substantive issues: Was the decision conscientiously arrived at? Was all available evidence bearing on the relevant performance of the candidate sought out and considered? Was there adequate deliberation by the department over the import of the evidence in light of the relevant standards? Were irrelevant and improper standards excluded from consideration? Was the decision a bona fide exercise of professional academic judgment? These are the kinds of questions suggested by the standard “adequate consideration.”
If, in applying this standard, the review committee concludes that adequate consideration was not given, its appropriate response should be to recommend to the department that it assess the merits once again, this time remedying the inadequacies of its prior consideration.

An acceptable review procedure, representing one procedural system within which such judgments may be made, is outlined in Regulation 15 of the Recommended Institutional Regulations, as follows:

If any faculty member alleges cause for grievance in any matter not covered by the procedures described in the foregoing regulations, the faculty member may petition the elected faculty grievance committee [here name the committee] for redress. The petition will set forth in detail the nature of the grievance and will state against whom the grievance is directed. It will contain any factual or other data which the petitioner deems pertinent to the case. Statistical evidence of improper discrimination, including discrimination in salary, may be used in establishing a prima facie case. The committee will decide whether or not the facts merit a detailed investigation; if the faculty member succeeds in establishing a prima facie case, it is incumbent upon those who made the decision to come forward with evidence in support of their decision. Submission of a petition will not automatically entail investigation or detailed consideration thereof. The committee may seek to bring about a settlement of the issue satisfactory to the parties. If in the opinion of the committee such a settlement is not possible or is not appropriate, the committee will report its findings and recommendations to the petitioner and to the appropriate administrative officer and faculty body, and the petitioner will, upon request, be provided an opportunity to present the grievance to them. The grievance committee will consist of three [or some other number] elected members of the faculty. No officer of administration will serve on the committee.

The Association accordingly recommends:

6. Petition for Review Alleging Inadequate Consideration. Insofar as the petition for review alleges inadequate consideration, the functions of the committee which reviews the faculty member’s petition should be the following:
   a. to determine whether the decision was the result of adequate consideration, with the understanding that the review committee should not substitute its judgment on the merits for that of the body or individual that made the decision;
   b. to request reconsideration by the faculty body when the committee believes that adequate consideration was not given to the faculty member’s qualifications (in such instances, the committee should indicate the respects in which it believes that consideration may have been inadequate); and
   c. to provide copies of its report and recommendation to the faculty member, the body or individual that made the decision, and the president or other appropriate administrative officer.

Notes
1. The “Standards for Notice” are as follows:
   a. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination;
   b. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination;
   c. At least twelve months before the expiration of an appointment after two or more years in the institution. (AAUP, Policy Documents and Reports, 10th ed. [Washington, D.C., 2006], 54.)

2. Faculties processing complaints under Regulations 10 and 15 may wish to secure the further advice of the Association’s Washington office.
3. As used here, “department” may refer to any institutional body or individual responsible for making a recommendation or decision on reappointment.
1958 Statement on Procedural Standards in Faculty Dismissal Proceedings

The following statement was prepared by a joint committee representing the Association of American Colleges (now the Association of American Colleges and Universities) and the American Association of University Professors and was approved by these two associations at their annual meetings in 1958. It supplements the 1940 Statement of Principles on Academic Freedom and Tenure by providing a formulation of the “academic due process” that should be observed in dismissal proceedings. The exact procedural standards here set forth, however, “are not intended to establish a norm in the same manner as the 1940 Statement of Principles on Academic Freedom and Tenure, but are presented rather as a guide. . . .”

The governing bodies of the American Association of University Professors and the Association of American Colleges, meeting respectively in November 1989 and January 1990, adopted several changes in language in order to remove gender-specific references from the original text.

Introductory Comments
Any approach toward settling the difficulties which have beset dismissal proceedings on many American campuses must look beyond procedure into setting and cause. A dismissal proceeding is a symptom of failure; no amount of use of removal process will help strengthen higher education as much as will the cultivation of conditions in which dismissals rarely, if ever, need occur.

Just as the board of control or other governing body is the legal and fiscal corporation of the college, the faculty is the academic entity. Historically, the academic corporation is the older. Faculties were formed in the Middle Ages, with managerial affairs either self-arranged or handled in course by the parent church. Modern college faculties, on the other hand, are part of a complex and extensive structure requiring legal incorporation, with stewards and managers specifically appointed to discharge certain functions.

Nonetheless, the faculty of a modern college constitutes an entity as real as that of the faculties of medieval times, in terms of collective purpose and function. A necessary precondition of a strong faculty is that it have first-hand concern with its own membership. This is properly reflected both in appointments to and in separations from the faculty body.

A well-organized institution will reflect sympathetic understanding by trustees and teachers alike of their respective and complementary roles. These should be spelled out carefully in writing and made available to all. Trustees and faculty should understand and agree on their several functions in determining who shall join and who shall remain on the faculty. One of the prime duties of the administrator is to help preserve understanding of those functions. It seems clear on the American college scene that a close positive relationship exists between the excellence of colleges, the strength of their faculties, and the extent of faculty responsibility in determining faculty membership. Such a condition is in no way inconsistent with full faculty awareness of institutional factors with which governing boards must be primarily concerned.

In the effective college, a dismissal proceeding involving a faculty member on tenure, or one occurring during the term of an appointment, will be a rare exception, caused by individual human weakness and not by an unhealthful setting. When it does come, however, the college should be prepared for it, so that both institutional integrity and individual human rights may be preserved during the process of resolving the trouble. The faculty must be willing to recommend the dismissal of a colleague when necessary. By the same token, presidents and governing boards must be willing to give full weight to a faculty judgment favorable to a colleague.
One persistent source of difficulty is the definition of adequate cause for the dismissal of a faculty member. Despite the 1940 Statement of Principles on Academic Freedom and Tenure and subsequent attempts to build upon it, considerable ambiguity and misunderstanding persist throughout higher education, especially in the respective conceptions of governing boards, administrative officers, and faculties concerning this matter. The present statement assumes that individual institutions will have formulated their own definitions of adequate cause for dismissal, bearing in mind the 1940 Statement and standards that have developed in the experience of academic institutions.

This statement deals with procedural standards. Those recommended are not intended to establish a norm in the same manner as the 1940 Statement of Principles on Academic Freedom and Tenure, but are presented rather as a guide to be used according to the nature and traditions of particular institutions in giving effect to both faculty tenure rights and the obligations of faculty members in the academic community.

Procedural Recommendations

1. Preliminary Proceedings Concerning the Fitness of a Faculty Member. When reasons arise to question the fitness of a college or university faculty member who has tenure or whose term appointment has not expired, the appropriate administrative officers should ordinarily discuss the matter with the faculty member in personal conference. The matter may be terminated by mutual consent at this point; but if an adjustment does not result, a standing or ad hoc committee elected by the faculty and charged with the function of rendering confidential advice in such situations should informally inquire into the situation, to effect an adjustment, if possible, and, if none is effected, to determine whether in its view formal proceedings to consider the faculty member’s dismissal should be instituted. If the committee recommends that such proceedings should be begun, or if the president of the institution, even after considering a recommendation of the committee favorable to the faculty member, expresses the conviction that a proceeding should be undertaken, action should be commenced under the procedures that follow. Except where there is disagreement, a statement with reasonable particularity of the grounds proposed for the dismissal should then be jointly formulated by the president and the faculty committee; if there is disagreement, the president or the president’s representative should formulate the statement.

2. Commencement of Formal Proceedings. The formal proceedings should be commenced by a communication addressed to the faculty member by the president of the institution, informing the faculty member of the statement formulated, and also informing the faculty member that, at the faculty member’s request, a hearing will be conducted by a faculty committee at a specified time and place to determine whether he or she should be removed from the faculty position on the grounds stated. In setting the date of the hearing, sufficient time should be allowed the faculty member to prepare a defense. The faculty member should be informed, in detail or by reference to published regulations, of the procedural rights that will be accorded. The faculty member should state in reply whether he or she wishes a hearing, and, if so, should answer in writing, not less than one week before the date set for the hearing, the statements in the president’s letter.

3. Suspension of the Faculty Member. Suspension of the faculty member during the proceedings is justified only if immediate harm to the faculty member or others is threatened by the faculty member’s continuance. Unless legal considerations forbid, any such suspension should be with pay.

4. Hearing Committee. The committee of faculty members to conduct the hearing and reach a decision should be either an elected standing committee not previously concerned with the case or a committee established as soon as possible after the president’s letter to the faculty member has been sent. The choice of members of the hearing committee should be on the basis of their objectivity and competence and of the regard in which they are held in the academic community. The committee should elect its own chair.
5. **Committee Proceeding.** The committee should proceed by considering the statement of grounds for dismissal already formulated, and the faculty member’s response written before the time of the hearing. If the faculty member has not requested a hearing, the committee should consider the case on the basis of the obtainable information and decide whether the faculty member should be removed; otherwise, the hearing should go forward. The committee, in consultation with the president and the faculty member, should exercise its judgment as to whether the hearing should be public or private. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matters set forth in the president’s letter to the faculty member should be received.

   The president should have the option of attendance during the hearing. The president may designate an appropriate representative to assist in developing the case; but the committee should determine the order of proof, should normally conduct the questioning of witnesses, and, if necessary, should secure the presentation of evidence important to the case.

   The faculty member should have the option of assistance by counsel, whose functions should be similar to those of the representative chosen by the president. The faculty member should have the additional procedural rights set forth in the 1940 *Statement of Principles on Academic Freedom and Tenure*, and should have the aid of the committee, when needed, in securing the attendance of witnesses. The faculty member or the faculty member’s counsel and the representative designated by the president should have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member should have the opportunity to be confronted by all adverse witnesses. Where unusual and urgent reasons move the hearing committee to withhold this right, or where the witness cannot appear, the identity of the witness, as well as the statements of the witness, should nevertheless be disclosed to the faculty member. Subject to these safeguards, statements may, when necessary, be taken outside the hearing and reported to it. All of the evidence should be duly recorded. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

6. **Consideration by Hearing Committee.** The committee should reach its decision in conference, on the basis of the hearing. Before doing so, it should give opportunity to the faculty member or the faculty member’s counsel and the representative designated by the president to argue orally before it. If written briefs would be helpful, the committee may request them. The committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. Publicity concerning the committee’s decision may properly be withheld until consideration has been given to the case by the governing body of the institution. The president and the faculty member should be notified of the decision in writing and should be given a copy of the record of the hearing. Any release to the public should be made through the president’s office.

7. **Consideration by Governing Body.** The president should transmit to the governing body the full report of the hearing committee, stating its action. On the assumption that the governing board has accepted the principle of the faculty hearing committee, acceptance of the committee’s decision would normally be expected. If the governing body chooses to review the case, its review should be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the hearing committee should either be sustained or the proceeding be returned to the committee with objections specified. In such a case the committee should reconsider, taking account of the stated objections and receiving new evidence if necessary. It should frame its decision and communicate it in the same manner as before. Only after study of the committee’s reconsideration should the governing body make a final decision overruling the committee.
8. *Publicity.* Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officers should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision should include a statement of the hearing committee’s original action, if this has not previously been made known.
FAIR
Forum for Adjunct Instructor Reform

University faculty positions are being filled more and more by part time instructors. This is the future of the university system. With this in mind, certain changes are necessary in order to make this system sustainable.

FAIR proposes some simple changes to the current structure of the university adjunct position. All of these changes are very reasonable requests and easily attainable if we all work together. Our goals are as follows:

1. **A Reasonable Pay Schedule:** At the start of the spring semester, part-time faculty work over 6 weeks into the semester without being paid. We would like to ensure that all instructors are compensated in a timely manner.

2. **Equal Pay for Equal Work:** On a course by course basis part-time faculty have the same teaching responsibilities and requirements as their full-time colleagues. As a result, we would like to ensure that part-time faculty are equally compensated, thus giving part-time faculty the ability to make a living wage.

3. **Job Security:** We believe that part-time faculty should have a reasonable expectation of job security. After two years of service to the university, we believe adjunct faculty should be given 9-month, as opposed to semester-long, contracts.

FAIR’s next meeting is scheduled for (TBA). We encourage both part-time and full-time faculty members to attend and join in an ongoing dialogue on the rights of university faculty.

Below is a link to a chart comparing part-time faculty pay in Kentucky:

https://docs.google.com/spreadsheet/pub?key=0ArLwcJ6E2dSydGljX2JNa1dTMUg2M1V3NW1eFRPZI&output=html
TO: Members of the Faculty Senate

FROM: Janna P. Vice, Chair
The Council on Academic Affairs

DATE: March 28, 2012

SUBJECT: CAA Agenda for Faculty Senate

As a result of the Council on Academic Affairs’ meeting on March 15, 2012, the following items are presented for the Faculty Senate’s agenda on April 2, 2012.

**Curriculum Proposals**

<table>
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<td>1. Minor in Horses, Humans and Health</td>
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<tr>
<td>2. Minor in Health Services Administration</td>
<td>3</td>
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<tr>
<td>3. AGS with Security Management Concentration</td>
<td>4</td>
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<tr>
<td>4. Certificate in Intelligence and Security Operations (Government Industrial Security)</td>
<td>6</td>
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<tr>
<td><em>University-level Certificate, requiring 24 credit hours to complete</em></td>
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<tr>
<td>5. Minor in Security Management</td>
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**Program Suspensions**

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<td>6. Minor in Social Institutions and Social Change</td>
<td>10</td>
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<tr>
<td>7. Minor in Social Inequalities</td>
<td>12</td>
</tr>
<tr>
<td>8. Assets Protection and Security (B.S.)</td>
<td>14</td>
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<tr>
<td><em>Suspension will start in Fall 2012; classes will be offered until 2015.</em></td>
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<tr>
<td>9. Minor in Assets Protection</td>
<td>17</td>
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<tr>
<td><em>Support will be provided for students in minor until 2015.</em></td>
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Program Revisions

10. Academic Probation Description, Graduate School
11. EKU Honors Program
   Increase honors offerings, create an autonomous Honors Core of classes that will eventually replace all general education classes, and increase flexibility for students bringing in significant pre-college/college credit.
12. B.S. Deaf and Hard of Hearing Elementary (P-5) OR Middle Grades with Emphasis (5-9)
13. Graduate Certification Deaf and Hard of Hearing – replace SED 338 with SED 738
14. Master of Arts in Education Special Education- Teacher Leader Track Additional Certification DHH
   1) Show a range of graduate hours in the content area so that graduate students who have previous, valid coursework can transfer up to 12 hours of equivalent coursework into the degree program and be able to complete the degree with less than 40 hours,
   2) Substitute SED 738 for SED 832 in the MaEd in Special Education Teacher Leader Track Adding Certification. Candidates adding certification do not have the language background to take SED 832(Advanced Language for DHH).
15. M.S. Applied Engineering & Technology Management – add NSM as an option
16. B.A. in Broadcasting & Electronic Media - Remove BEM 495 94) from the BEM Major Option General and add additional courses as acceptable courses in the major.
17. B.A. in Journalism - Journalism major to be changed to eliminate the requirement for a minor. Students are required to take JOU 412 or PUB 412 and those courses were removed from the Supporting Courses Option. JOU 450 was added as an option to JOU 425. BEM 240, 295, 300, 301, 395, 401, 402 and 495 and PUB 410S were added as Supporting Course Options.
18. Minor in Broadcasting & Electronic Media - Add BEM 491, a one-credit hour course, as a required course for the minor and increasing the number of hours to 23 hours for the minor.
19. Minor in Broadcast News - Add BEM 491, a one-credit hour course, as a required course for the minor and increasing the number of hours to 23 hours for the minor.
20. Minor in Communication Studies - Change the CMS minor to include three concentrations in communication studies.
21. Minor in Visual Media - Add BEM 491, a one-credit hour course, as a required course for the minor and remove GCM 211 as a required course for the minor.
24. B.B.A. Marketing - Add GBU 101 to the MKT major and options and eliminate “Approved Business Electives”.
25. B.S. Marketing and Business Education - Add GBU 101 to the program
26. Doctorate of Nursing - Change the application deadline for part-time applicants
27. Environmental Health Science B.S.
   Drop BIO121 and add BIO111 to support, correct prefixes, Drop GEO353 and AGR215 from support (they have added prereqs) Reflect New General Education Elements to program
28. Medical Laboratory Science B.S. - Correct Prefixes from MAS to HSA and CLS to MLS, Reflect New General Education Elements to program, Drop BIO121 and add BIO111
29. Athletic Training B.S. – Reflect New General Education Elements to program
   Add back STA 215 or 270 and EMC104
30. Sport Management B.S. – Reflect New General Education Elements to program

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Program Revisions Continued…

31. Apparel Design and Merchandising B.S. – Reflect New General Education Elements to program

32. Family and Consumer Science Education B.S. – Add NFA317, Remove NFA321, Add FIN311, Remove BIO 301, Drop Free Electives and reflect new General Education

33. General Dietetics B.S. – reflect new General Education elements in program

34. Health Services Administration B.S. – 1) Add new General Education Elements and 2) Drop ACC 202 and ECO 230 from the curriculum

35. MPH-Environmental Health – Drop Core Exam requirement

36. MPH-Community Health – Drop Core Exam requirement

37. Occupational Science B.S. - Reflect New General Education Elements

38. Public Health B.S. - 1. Add HEA 310 Introduction to Global Health to the Community Health and School Health Options in the Public Health major 2. Drop the Worksite Health Promotion Option from the major 3. Drop HEA 390, HEA 391, HEA 599, SOC 353 courses from the major 4. Add ESE 349, EMS 349 Q & R, & EDF 349 Q & R to the professional education requirements in the school health option. 5. Add EDF 204 to supporting courses.

39. Occupational Therapy M.S. – Add free electives PSY 797, 777, CDS 867, SED 704, 790

40. Recreation and Park Administration B.S. – Reflect New General Education Elements, revise option titles and requirements

41. Art/Design Studio Options (B.F.A.) - 1. Drop the Interior Design option. 2. Reduce credit hours for Pre-BFA Metals/Jewelry option. 3. Change course requirements for most option areas. 4. Correct wording in the ‘Pre-BFA’ description of Jewelry and Metals.

42. Art B.A. /Teacher Education Option – Update the Teacher Education option

43. Computer Science B.S. – Add a new Statistical Computing Option

44. Bachelor of Music – delete supporting course requirement and add more course choices to the Music industry

45. Master of Music* - delete the GRE requirement for students with 3.0+ GPA *Note: This item was inadvertently omitted from the 02-24-12 Graduate Council meeting and will be on the agenda for 3-23-12. The College is proposing CAA approval pending Grad Council approval.

46. Corrections and Juvenile Justice B.S. - Program name change, increase number of major hours, revise core requirements, drop options, increase elective hours, and add supporting requirements

47. Professional Certificate in Correctional Intervention Strategies

48. Professional Certificate in Youth Services - Change core requirements and acceptable electives

49. Catalog Change – Admission, Transfer and Other Requirements

50. Emergency Medical Care B.S.

51. Paramedicine A.S.P.

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<th>Program Revisions continued…</th>
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<tbody>
<tr>
<td>52. Fire, Arson and Explosion Investigation (B.S.)</td>
<td>110</td>
</tr>
<tr>
<td>\textit{Requires minimum credit hours/upper division credit hours be taken within CJS/SSEM}</td>
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<tr>
<td>53. Fire Protection Administration (B.S.)</td>
<td>112</td>
</tr>
<tr>
<td>\textit{Requires minimum credit hours/upper division credit hours be taken within CJS/SSEM}</td>
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<tr>
<td>54. Fire, Protection, and Safety Engineering Technology (B.S.)</td>
<td>114</td>
</tr>
<tr>
<td>\textit{Requires minimum credit hours/upper division credit hours be taken within CJS/SSEM; Change OSH course requirement from OSH 361 to OSH 261}</td>
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<tr>
<td>55. Minor in Fire and Safety Engineering Technology</td>
<td>116</td>
</tr>
<tr>
<td>\textit{Change required OSH course from OSH 362 to OSH 262}</td>
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<tr>
<td>56. Fire and Safety Engineering Technology Certificate of Competency</td>
<td>118</td>
</tr>
<tr>
<td>\textit{Change title to Industrial Fire Protection Certificate, delete 6 courses and add 6 courses}</td>
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<tr>
<td>57. Occupational Safety (B.S.)</td>
<td>120</td>
</tr>
<tr>
<td>\textit{Align required courses with prior course revisions: OSH 361/OSH 261 and OSH 362/ OSH 262}</td>
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<tr>
<td>58. Minor in Occupational Safety</td>
<td>122</td>
</tr>
<tr>
<td>\textit{Align required courses with prior course revisions: OSH 361/OSH 261 and OSH 362/ OSH 262}</td>
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<tr>
<td>59. Homeland Security B.S.</td>
<td>124</td>
</tr>
<tr>
<td>\textit{Change APS prefix to SEC, change General Education, and add two courses}</td>
<td></td>
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<tr>
<td>60. Associate in General Studies Homeland Security Concentration</td>
<td>126</td>
</tr>
<tr>
<td>\textit{Update course prefix and General Education changes}</td>
<td></td>
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<tr>
<td>61. Minor in Homeland Security - Add new course HLS 430</td>
<td>128</td>
</tr>
<tr>
<td>62. Minor in Emergency Management - Change prefix for APS 210 to SEC 210</td>
<td>130</td>
</tr>
<tr>
<td>63. Certificate in Emergency Management - Change APS 210 prefix to SEC 210</td>
<td>132</td>
</tr>
<tr>
<td>64. Certificate in Homeland Security - Change APS 210 to new prefix SEC 210 and add HLS 430</td>
<td>134</td>
</tr>
<tr>
<td>65. Certification in Intelligence Studies - Add and change courses to provide more latitude in studies</td>
<td>136</td>
</tr>
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</table>
Although March was a short month due to spring break, Faculty Senate members were busy. This report describes the “March Madness” that took place on the EKU Campus:

**Implementation Team**

This month I have continued to work with subcommittees of the Implementation Team. I am pleased to say that in some areas, the Implementation Team’s efforts appear to be paying off. Admissions no longer had a delay in processing applications and the number of applications has increased compared to last year. There are also a number of events that the Admissions Office has designed as a result of suggestions from Implementation Team. These events are designed to help increase the matriculation rate of high-quality applicants to EKU. In the face of deep budget cuts, we become increasingly dependent upon tuition dollars and must pursue every applicant aggressively.

In addition to recruiting these students, we must also retain them once they arrive. Implementation Team members have also been working on programs and policies that are designed to assist student retention efforts. The Advising Workgroup has surveyed chairs regarding problems with advising on campus and is now developing ways in which to address these problems. The Retention Workgroup, in cooperation with Institutional Effectiveness, is reviewing other institutional efforts to improve student retention and graduation. This workgroup hopes to assist the university in developing a coordinated retention program that addresses the great number of issues that cause student dropouts. Many of these efforts will require faculty cooperation and assistance. For an overview of the types of programs the workgroup is reviewing, visit [http://publications.sreb.org/2010/10E02_Promoting_Culture.pdf](http://publications.sreb.org/2010/10E02_Promoting_Culture.pdf). This document outlines a series of initiatives that other institutions have implemented successfully to increase student retention and graduation rates. I plan to meet with Provost Vice in early April to continue discussing the appropriate role of faculty in student retention efforts.

**University Budget**

The Faculty Senate Budget Committee and I have also been carefully reviewing the university budget process. Although the state senate has not yet issued its final budget numbers to the university, the university is preparing for budget cuts. Current projections are that we will have over a $7.1 million budget deficit. The FPC/SPC is carefully reviewing proposals on how to accomplish these cuts. It is clear that Academic Affairs will have to endure deep cuts in both positions and M&O. While the President strategically approved $1.9 million of faculty lines a few weeks ago, $1.1 million (1.5%) is proposed to remain cut/froze. Academic Affairs will also have to endure a 6% cut in M&O for a savings of $1 million. Administrative offices will also face deep proposed cuts with a $611,312 (4%) cut in positions and a $327,133 (6%) cut in M&O. Other large proposed budget cuts include $1 million from the capital pool,
$1 million from deferred maintenance, $500,000 from the contingency fund, and depletion of the $287,046 President’s Strategic Fund.

The FPC/SPC will next meet all day on April 5th with a follow up meeting planned for the afternoon of April 6th. The formal budget proposals are due to the President on April 9th. In preparation for the meeting, Faculty Senators and other faculty members on the FPC/SPC have requested data on a number of entities including intercollegiate athletics and the EKU Center for the Arts. We will also be carefully reviewing proposed changes to benefits and institutional work study. We strongly believe that the university must both spend and cut funds strategically. While politicians and other entities may try to influence our financial decisions, we must always focus on the strategic mission of this institution.

Respectfully submitted,

Lynnette Noblitt
Faculty Senate Chair
Provost’s Report to the Faculty Senate
April 2, 2012

Key Questions

When we began the academic year, I posed two questions to the colleges and departments:

1. What do we value?
2. How do we know if we are improving?

What do we value?

As the University faces reducing our budget more than $7 million, the question regarding what we value has been a guiding factor for the Council of Deans. For weeks now, the deans have analyzed the Academic Affairs budget both as a Council and in meetings with Budgeting, Administrative and Financial Affairs Offices.

We have kept faculty resources as a top priority. When I present the Academic Affairs’ proposed budget to the new Joint Strategic and Financial Planning Council on Thursday, proposal will reflect (a) reductions in administrative operating budgets, (b) adjustments in non-teaching support areas, and (c) a commitment to continuing to review our budget for long-term, strategic decisions.

Regarding frozen faculty lines, we have received approval to thaw about $2 million in faculty positions. However, we are still holding $1.6 million in faculty lines. All units in the President’s Cabinet are participating in the budget reduction in order to provide the faculty we need to adequately serve students in our academic programs. These cuts are far from painless and will result in changing the way we do business.

As we focus on our primary goal of faculty-student engagement, we are reminded that increasing retention rates and our student enrollment is not only our primary mission but a strategic way to offset budget reductions. The Office of Admissions reports that for the first time we are responding to student applications within 24 hours. The Implementation Team continues identifying other specific ways we can enhance student success. The May report will update the Senate on the Implementation Team’s work.

How do we know if we are improving?

With federal and state agencies’ increased scrutiny of higher education, perhaps an implicit follow-up question to the budget-reduction discussion is, “Can we continue to improve quality at a time when we have fewer resources?” The answer is an unequivocal “yes!” Although we could list a number of reasons we will continue to improve, the following discussion addresses one crucial way we can improve and document the improvement.

Recently, one of our academic programs hosted a visiting accreditation team. Following the team’s exit interview with the faculty, the chair, associate dean, dean, President Whitlock, and me, the chair sent a follow-up report to the students in the program. I have copied a portion of that report below. Although the visit was very successful, the focus here is on the outcome, not the program. The following description is typical of the exit reports the President and I hear.
The Department Chair reported:

*(The Chair) of the visiting team opened the exit interview by stating the Program had met all standards, and he closed saying the team would be making no recommendations for conditions or special requirements for the program in their report.* Program strengths:

- a. noted excellent financial support of our program in terms of PD by the university, college and department
- b. noted students come to EKU because they see our program as more robust. Student’s told the team they selected EKU for their program because they wanted an accredited program and the assurance of quality accredited programs.
- c. noted a thorough assessment and evaluation process of student personal qualities and professionalism (dispositions) that was exhaustive and well thought out.
- d. praised our move to having more core classes taught by core faculty versus adjunct or affiliate faculty and noted the students felt they had been heard on this issue and that they also appreciated this.
- e. in general were impressed with how enthusiastic and knowledgeable our students were about their programs, not just enthusiastic as students but enthusiastic about this program and felt they really understood their programs and its expectation.

Suggestion for improvement? The Department Chair continued...

They noted that all required curriculum was covered to meet the standards but that it was sometimes difficult to find this to confirm it. They suggested we needed to work on course mapping for all of our syllabi that made clear in that syllabi (not just in blackboard or other places in the course papers) not only what was going to be taught and how it would be assessed but also what assignments would be in detail how they would address the standard or SLO and what rubrics would be used to assess the assignment. *(this should be our highest priority and should be addressed first in our department follow up)*

This suggested improvement describes the concept of **Assurance of Learning** we are advocating for all academic programs. It is not just a function of accreditation—it is a function of continuous improvement. It is not just a “top down, extra assessment”—it is about making improvements based on embedded assessment of student performance.

Exemplar programs (accredited and non-accredited) already exist in each EKU college. Dr. E. J. Keely and Stacey Street are meeting with the college deans and their respective chairs to showcase these model programs. These programs have incorporated Assurance-of-Learning concepts into their on-going processes.

Does continuous improvement take resources? Yes, the primary cost is scheduling **time for faculty to collaborate**. To provide faculty time to pursue the Assurance-of-Learning model, we are planning a non-instructional day for the 2012 Fall Semester. The date will be announced in May. We will provide professional development, continue to showcase the exemplar programs, and work individually with programs as needed.

Respectfully,

Janna Vice

*Please join me for lunch, Wednesday, April 4, 2nd Floor Powell, if your schedule allows.*