Policy Statement

Eastern Kentucky University, as a matter of principle, complies with the American Association of University Professors (AAUP) 1989 "Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments" and the AAUP and the Association of American Colleges and Universities 1940 Statement of Principles on Academic Freedom and Tenure." These AAUP statements address policy and procedural expectations for a wide variety of institutions of higher education. With these statements in mind, EKU has established criteria and processes by which tenure-track faculty will be evaluated. EKU's policy ensures that processes are clearly articulated and published and are available to all persons in the university community.

EKU's policy for evaluation of non-tenured tenure-track faculty respects the uniqueness of disciplines within the University and provides for appropriate professional flexibility at College and Department levels.

Eastern Kentucky University, as a matter of principle, complies with the AAUP standards for faculty evaluation. These standards establish basic policy and procedural expectations for evaluation of non-tenured tenure-track faculty. At EKU, evaluation of faculty for awarding tenure and promotion is governed by Policy 4.6.4 – Promotion and Tenure.

Entities Affected by the Policy

- Non-Tenured Tenure-Track Faculty
- Departments
- College- and University-level Administrators

Principles

1. The Department shall have the primary responsibility for evaluating non-tenured tenure-track faculty. Throughout the evaluation process, Department evaluations shall be given weight which appropriately reflects this responsibility.
2. The recommendations in the decision-making process shall be based on documented and verifiable evidence and the review process shall be transparent.
3. Throughout the process, the principle of confidentiality shall be respected.
4. Review processes at each level shall include appropriate evaluations of performance in teaching, scholarship, and service. These evaluations shall become part of the individual evaluation file.
5. 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 College- and University-level administrators. The documented evidence shall be part of the individual evaluation file.
6. The justification for or against reappointment shall be stipulated in writing and maintained in the faculty member’s evaluation dossier at every step in the process.
7. The Department and College procedures not determined by Policy 4.6.5P shall be developed and approved by tenure-track faculty comprising these units. Such procedures shall be made available to the faculty in these units.

Criteria

Prior to applying for tenure, non-tenured tenure-track faculty shall be evaluated annually. Recommendations and decisions for reappointment shall be based on the evaluation of performance in teaching, scholarly/creative activities, and service. In reviewing all three areas, collegiality shall be considered.

Provisions for Termination of Faculty in the Probationary Period

If the employment of a tenure-track faculty member serving during the probationary period is to be terminated at the completion of the current annual appointment, that faculty member shall be given written notice of non-reappointment, or of intention not to recommend reappointment, in accordance with the following timetable:

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 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 at the institution.

All evaluations shall be completed according to the schedule established by the Provost. The schedule shall permit notification of non-reappointment by the dates specified in Policy 4.6.4.

Procedures

Conducting Annual Evaluations for Non-Tenured Tenure-Track Faculty

General Guidelines for Evaluations

1. All evaluations 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 Department Chair’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 annual evaluation 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 annual evaluation committees, shall ensure that the membership of annual evaluation 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. Department Chairs shall not serve as members on annual evaluation committees. Furthermore, the Department Chair shall not be present during committee deliberations unless stipulated by Department policy.

Initial Review of First-Year Non-Tenured Tenure-Track Faculty

1. Non-tenured tenure-track faculty in their first year at EKU shall submit a curriculum vita to the Department Chair in accordance with Department deadlines.

2. The Chair shall meet with the first-year non-tenured tenure-track faculty member no later than January 15, and will provide written feedback on his/her performance during the academic year to date.
Chair shall provide an evaluation of the faculty member's performance during the academic year to date, including a recommendation regarding reappointment.

4.6.5P
Volume 4, Academic Affairs
Chapter 6, Faculty
Section 5, Evaluation of Non-Tenured Tenure-Track Faculty

1. The faculty member may respond to the evaluation and recommendation by one of the following:

1.1. Accepting the evaluation and recommendation. The report is then forwarded to the Dean.

1.2. Filing a statement, including supporting documentation, to be appended to the document evaluation. This statement shall be submitted to the Department Chair within five days of receipt of the evaluation report. The report and the appended material are forwarded to the Dean.

4. No later than February 1, the Chair shall forward the evaluation (including the curriculum vita, the recommendation and, if applicable, an appended statement and any supporting documentation) to the Dean, submit to the Dean a recommendation for reappointment/terminal contract of full-time faculty members in their first year of service, along with a justification of no more than one page.

5. The Dean shall review the material provided by the Department Chair and make a recommendation regarding reappointment. If the Dean does not concur with the Department Chair, the Dean shall state in writing the reasons for the differing recommendation.

6. No later than February 15, The Dean shall notify the faculty member in writing of the Dean's recommendation.

7. The recommendation and the evaluation file shall be forwarded to the Provost.

8. The Provost shall review the evaluation and recommendations. If the Provost does not concur with the recommendations of the Department committee, the Department Chair, the Dean, or all three, the Provost shall state in writing the reasons for the differing decision.

9. No later than March 1, the Provost shall return the signed evaluations to the Dean, who shall notify the faculty member, with a copy to the Department Chair. The Dean shall provide a copy of the final report to the faculty member. The faculty member shall sign the last page of the report indicating receipt of a copy of the report.

10. Appeals of a non-reappointment decision shall follow the procedure below.

THE FOLLOWING PROCEDURES APPLY TO FACULTY IN YEARS TWO THROUGH FIVE:

The Department Annual Evaluation Committee
Department annual evaluation committees 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.

The Department Promotion and Tenure Committee may serve as the annual evaluation committee for non-tenured tenure-track faculty. The Department, by majority vote, shall determine whether to use the Department Promotion and Tenure Committee or to use a separate committee for non-tenured tenure-track faculty.

Evaluation Procedures
Non-tenured tenure-track faculty shall be evaluated on an annual basis and shall be assessed on their professional performance since their last evaluation, including responsiveness to previous evaluations. Non-tenured tenure-track faculty applying for promotion shall submit an application for promotion that shall include all documentation for the annual self-evaluation and shall be additionally evaluated under Policy 4.6.4, Promotion and Tenure. Evaluation of these candidates shall include committee recommendations for both annual evaluation and promotion.
Faculty Member

1. The non-tenured tenure-track faculty member shall complete a self-evaluation, which shall include a narrative analysis of the faculty member’s professional performance for the previous academic year. In all cases, the faculty member shall provide accurate and complete details of any potentially useful information. The faculty member shall assemble the evaluation file as follows:
   a. Terms of Initial Appointment and, if applicable, any previously agreed-upon exceptions to Policy 4.6.4, Promotion and Tenure.
   b. A copy of a current curriculum vita.
   c. Copies of previous non-tenured tenure-track annual evaluation reports by evaluators.
   d. The self-evaluation on the appropriate form.
   e. Supporting documentation.

2. The faculty member shall submit a self-evaluation and supporting materials to the Department Chair, who has the responsibility to get the evaluation and all materials to the Department committee in accordance with Department deadlines. In the process of being evaluated, faculty members must allow their professional materials to be open to their peers on the Department annual evaluation committee.

Department Annual Evaluation Committee

1. The Department committee shall review the evaluation file and all supporting materials required by the Department. The department committee may request additional materials to clarify submitted material as necessary.

2. The Department committee shall consider the candidate’s evaluation file and the following:
   a. performance in the areas of teaching, scholarly/creative activities, and service;
   b. formal student evaluations;
   c. the Department’s second systematic method of assessing teaching performance, which 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;
   d. data provided by the Chair of the Department.

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 reappointment, and shall complete the appropriate recommendation form(s) for reappointment. 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 evaluation file, the written recommendation, and the signed form(s) shall be submitted to the Department Chair.

Department Chair

1. The Department Chair shall review the evaluation file and the Department committee recommendations. The Chair may consult with the Department committee and the candidate prior to making a recommendation. If the Department Chair concurs with the committee’s recommendation, the Chair may write a separate recommendation regarding reappointment. If the Department Chair does not concur with the committee’s recommendation, the Chair shall write a separate recommendation with justifications for the differing recommendation.

2. The faculty member 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 shall meet with the faculty member and review the recommendations, provide the faculty member with a copy of the report (and all addenda), and secure the faculty member’s signed receipt.

4. The faculty member 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 faculty member’s evaluation in light of the request for reconsideration. The request for reconsideration should only address concerns raised by the Department committee and/or the Department Chair and may include additional information in support of that clarification.

6. The faculty member shall be notified in writing by the Department Chair of the results of reconsideration. The reconsideration report shall be included in the evaluation file.

7. The recommendation and the evaluation file shall be forwarded to the Dean of the College.
**College Dean**

1. The Dean shall review the evaluation and recommendations. The Dean may consult with previous decision makers and/or the faculty member prior to making a recommendation. The Dean shall provide a separate recommendation regarding reappointment. If the Dean does not concur with the recommendations of the Department committee, the Department Chair, or both, the Dean shall state in writing the reasons for the differing recommendations.

2. The Dean shall notify the faculty member in writing of the Dean’s recommendation, with justification for the recommendation.

3. The recommendation and the evaluation file shall be forwarded to the Provost.

**Provost**

1. The Provost shall review the evaluation and recommendations. The Provost may consult with previous decision makers and/or the faculty member prior to making a decision. The Provost shall provide a separate decision regarding reappointment. If the Provost does not concur with the recommendations of the Department committee, the Department Chair, the Dean, or all three, the Provost shall state in writing the reasons for the differing decision.

2. The Provost shall return the signed evaluations to the Dean, who shall notify the faculty member, with a copy to the Department Chair. The Dean shall provide a copy of the final report to the faculty member. The faculty member shall sign the last page of the report indicating receipt of a copy of the report.

3. Appeals of a non-reappointment decision shall follow the procedure below.

**NON-REAPPOINTMENT**

1. The Provost shall notify the President of non-reappointment recommendations, including the results of any appeals, in sufficient time to comply with the deadlines below.

2. Faculty members in their first year of a tenure-track appointment at EKU shall receive official notification of non-reappointment from the President no later than March 15 unless an appeal has been filed, in which case the deadline is March 30. Faculty members in the second year of a tenure-track appointment at EKU shall receive official notification of non-reappointment from the President no later than December 15. Faculty members in their third through six years in a tenure-track appointment at EKU shall receive official notification of non-reappointment from the President at least twelve months prior to the faculty member’s termination of employment at the University.

**Appeals**

1. In the event of a negative decision by the Provost, the faculty member may appeal the decision.

   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 faculty member will submit a written request for appeal to the Provost within ten (10) calendar days of notification of the Provost’s decision, with a copy to the Dean of the College. The request shall state the grounds for the appeal, shall provide evidence in support of such grounds.

3. The Provost shall convene the Faculty Evaluation Appeals Committee (FEAC) to review the appeal. The Provost shall meet with the faculty member upon appeal of a non-reappointment decision, if such a meeting is requested by the faculty member.

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. Based on its findings, the FEAC may recommend a reconsideration of the Provost’s original decision. The FEAC shall report its findings and recommendations to the Provost— with a copy to the candidate, the Department Chair, and the Dean— within fourteen (14) calendar days of receipt of the case, except in extenuating circumstances.

5. Possible actions by the Provost could include, but are not limited to:
   a. Affirming his/her original decision, with written justification
   b. Reversing his/her original decision, with written justification
   c. Reconvening the FEAC to meet with appropriate decision makers and report additional findings.
6. The Provost shall notify the faculty member in writing of the appeal decision, with a copy to the Dean and the Department Chair. All appeal decisions are final.

Completing the Evaluation Report for Non-Tenured Tenure-Track Faculty (Department Level)

1. In the writing of the evaluation report, the Chair shall indicate the extent of the committee's involvement in the process. The committee shall review the evaluation and may indicate areas of disagreement on the report form.

2. While the department chair is responsible for the evaluation report, he or she may delegate the writing of the report to the Department Evaluation Committee. Should the Chair elect to delegate, the report shall include the extent to which the Chair agrees with the details of the report.

Information to Be Used in Completing the Evaluation Report

1. Self-evaluation
2. Peer evaluation
3. Student evaluation data
4. Data from other systematic method(s) for evaluating teaching effectiveness
5. Results of previous evaluations
6. Other information as available

Creating the Department Evaluation Committee

1. Each department shall select a committee(s) to advise the Chair in the writing of the evaluation report for non-tenured tenure-track faculty.

2. The method of selecting the committee shall be approved by a majority vote of the full-time non-tenured faculty of the department and approved by the Dean. It is expected that the committee will be selected whenever possible from among the senior faculty in the department. Departments which do not have a sufficient number of faculty may select faculty outside the department with the advice and consent of the Dean.

3. The department chair shall chair the committee.

4. Once the committee is selected, the department chair shall announce the names of the committee members to the department and shall report the names of the committee members to the Dean.

Completing the Evaluation Report for Non-Tenured Tenure-Track Faculty (Department Level)

3. In the writing of the evaluation report, the Chair shall indicate the extent of the committee's involvement in the process. The committee shall review the evaluation and may indicate areas of disagreement on the report form.

4. While the department chair is responsible for the evaluation report, he or she may delegate the writing of the report to the Department Evaluation Committee. Should the Chair elect to delegate, the report shall include the extent to which the Chair agrees with the details of the report.

Information to Be Used in Completing the Evaluation Report

7. Self-evaluation
8. Peer evaluation
9. Student evaluation data
10. Data from other systematic method(s) for evaluating teaching effectiveness
11. Results of previous evaluations
12. Other information as available

Creating the Department Evaluation Committee

5. Each department shall select a committee(s) to advise the Chair in the writing of the evaluation report for non-tenured tenure-track faculty.

6. The method of selecting the committee shall be approved by a majority vote of the full-time tenure-track faculty.
track faculty of the department and approved by the Dean. It is expected that the committee will be selected whenever possible from among the senior faculty in the department. Departments which do not have a sufficient number of faculty may select faculty outside the department with the advice and consent of the Dean.

7. The department chair shall chair the committee.
8. Once the committee is selected, the department chair shall announce the names of the committee members to the department and shall report the names of the committee members to the Dean.

Completing the Evaluation Report for Non-Tenured Tenure-Track Faculty Administrator (Department Chair)

All of the same procedures above shall apply for evaluation of a department chair, with the following differences:

1. The Dean shall take the Chair's place on the department committee and be responsible for the report.
2. An evaluation of administrative performance shall be included.

Completing the Evaluation Report for Non-Tenured Tenure-Track Faculty Administrator (College Dean)

All of the same procedures above shall apply for a college dean, with the following differences:

1. The Provost shall be responsible for the report and shall appoint an evaluation committee composed of chairs and one faculty member elected from each department of the college.
2. An evaluation of administrative performance shall be included.

Disseminating the Evaluation Report to the Non-Tenured Tenure-Track Faculty Member

A copy of the evaluation, including reasons for the recommendation, shall be given to the faculty member immediately.

Responding to the Evaluation Report for a Non-Tenured Tenure-Track Faculty (Department Level)

The faculty member may respond to the evaluation and recommendation by one of the following:

1. Acceptance of the evaluation and recommendation. The report is then forwarded to the Dean.
2. Filing a statement, including any documentation desired, to be appended to the document. This statement shall be submitted to the department chair within five days*. The report and the appended material are forwarded to the Dean.
3. Requesting reconsideration of the report by the department promotion and tenure committee.
   a) Requests for reconsideration shall be submitted to the chair of the committee by the faculty member concerned within five days* of receiving the evaluation report from the department chair. Requests for reconsideration shall detail grounds for reconsideration and shall include relevant evidence.
   b) The committee shall reconsider the evaluation and recommendation in light of the information provided in the statement of the faculty member. The committee shall consider any new information provided, meet with the faculty member and department chair, and make its decision. If the faculty member cannot agree to a meeting date within ten calendar days from receipt of the request for reconsideration, the faculty may forfeit the right to present evidence beyond that furnished in the reconsideration request. The chair of the committee shall inform the faculty member of the committee decision. The original evaluation, all information provided by the faculty member, and the report of the department promotion and tenure committee shall all be forwarded to the Dean.

Responding to the Evaluation Report for a Non-Tenured Tenure-Track Faculty (College Level)

The Dean shall examine all of the material provided by the department.

1. If the Dean concurs with the recommendation of the department, the Dean shall submit the report.
with his or her recommendations, to the Provost.

2. If the Dean does not concur with the recommendation of the department, a copy of the Dean's recommendation and the report, including the reasons for that recommendation, shall be given to the faculty member and the department chair. The faculty member may respond to the evaluation and recommendation by one of the following:
   a) Acceptance of recommendation. The report is then forwarded to the Provost.
   b) Filing a statement, including any documentation desired, to be appended to the document. This statement shall be submitted to the Dean within five days. The report and the appended material are forwarded to the Provost.
   c) Requesting reconsideration of the report by the college promotion and tenure committee.
      (1) Requests for reconsideration shall be submitted to the Dean by the department and/or faculty member concerned within five days of receipt of the evaluation report. Requests for reconsideration shall detail grounds for reconsideration and shall include relevant evidence.
      (2) The committee shall reconsider the evaluation and recommendation in light of the information provided by the department and/or faculty member. The committee shall consider any new information provided, meet with the faculty member and department chair, and make its decision. The Dean will inform the faculty member of the committee decision. All information will be forwarded to the Provost.

Responding to the Evaluation Report for a Non-Tenured Tenure-Track Faculty (University Level)

The Provost shall examine all of the material provided by the Dean.

1. After the Provost and President have made their recommendations, the faculty member shall be notified by the department chair. The Chair shall provide a copy of the final report to the faculty member. The faculty member shall sign the last page of the report indicating receipt of a copy of the report.

2. When written notification of non reappointment or of a terminal contract is necessary, the letter shall be prepared and signed by the President. The letter shall be received not later than the applicable notification date specified in the Faculty Handbook.

3. Any appeal shall be based on procedural grounds and shall be addressed in writing to the Provost within five days of receipt of notification of non-reappointment.

Responding to the Evaluation Report for a Non-Tenured Tenure-Track Faculty Administrator (Department Chair)

The same reconsideration procedures above shall apply for department chairs, with the following differences:

1. The letter requesting reconsideration shall be addressed to the dean of the college, who shall call a meeting of the college promotion and tenure committee.

2. If the individual is still not satisfied, he or she must write a letter to the Provost, who will appoint a committee to consider the appeal. Any further appeal shall be directed to the President of the University.

Responding to the Evaluation Report for a Non-Tenured Tenure-Track Faculty Administrator (College Dean)

The same reconsideration procedures above shall apply for college deans, with the following differences:

1. The letter requesting reconsideration shall be addressed to the Provost, who shall appoint a committee to consider the appeal. Any further appeal shall be directed to the President of the University.

Definitions
Throughout this document calendar day shall be interpreted to mean no later than the specified number of calendar days following the day of notification. If the final calendar day occurs on a weekend or holiday, the due date shall be on the first day on which University administrative offices are open. The time for response may be extended upon agreement by both parties.

Collegiality

The ability of an individual to interact with colleagues with civility and professional respect to engage in shared academic and administrative tasks necessary to meet Department, College, and University goals; and to work productively with faculty, students, and staff. Collegiality should not be confused with sociability or likability but rather is the professional criterion relating to teaching, scholarly/creative activities, and service.

Confidentiality

The principle of limiting access to information or documents only to those persons authorized to have such access. Documents and communications in the promotion and tenure process will 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.

Provost

Refers to either the Provost and Vice President for Academic Affairs or his/her designee.

University

Eastern Kentucky University

Within Five Days

Throughout this document “within five days” shall be interpreted to mean no later than the fifth calendar day following the day of notification. If the fifth day occurs on a weekend or holiday, the request for reconsideration or the statement of appeal shall be due on the first day on which University administrative offices are open.

Responsibilities

Department Chair

At a minimum, the Chair is responsible for:

- providing the Department committee with such documentation and data as policy and committee needs require,
- informing the faculty of policies, procedures, and criteria for annual evaluation,
- making a recommendation regarding reappointment.

Department Evaluation Committee

- Each Department committee shall be responsible for providing the appropriate professional interpretations for the discipline.
- The Department evaluation committee is responsible for writing the evaluation report and for making a recommendation regarding reappointment.

College Dean

At a minimum, the College Dean is responsible for:

- making decisions on reappointment of non-tenured tenure-track faculty
- notifying faculty in writing of such decisions

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 Provost.

Faculty Member Being Evaluated

- The faculty member being evaluated is responsible for the knowing and adhering to the principles and criteria set forth in this policy,
- The faculty member being evaluated is responsible for submitting a self-evaluation and other applicable materials by the established Department deadline.

Provost and Vice

At a minimum, the Provost is responsible for:
President for Academic Affairs

- making decisions on reappointment of non-tenured, tenure-track faculty
- ultimately ensuring that criteria applied in the evaluation are consistent with the terms of agreement established in writing at the candidate’s initial appointment in a tenure-track position or thereafter.
- meeting with faculty members upon appeal of a non-reappointment decision, if such a meeting is requested by the faculty member.
- making decisions on appealed cases.

Department Chair

- The evaluation of non-tenured tenure-track faculty for years one through five of employment is based on the principle that the department chair is ultimately responsible for the evaluation report. The Chair must ensure that the report is a fair and accurate description of the faculty member’s performance including both strengths and weaknesses.
- Each department chair shall provide each first year non-tenured tenure-track faculty member an information copy of the evaluation form (blank) and go over it in some detail prior to the time of evaluation. This shall be done early in the first semester of employment.

Interpreting Authority

Provost/Vice President for Academic Affairs

Relevant Links

Policy 4.6.4P

Policy Adoption Review and Approval

Revised Policy

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