

Faculty Senate

**建于于其实的是**这可以必须是这些理想

Faculty Senate Handbook Revisions FSH 23-24-6

Secretary of the Senate: Michael Bordieri Phone: (270) 809-2963

Email: msu.facultysenate@murraystate.edu

# Post-Tenure Review

☑ 1<sup>st</sup> Reading Draft Proposal Date: 4/2/2024

Handbook section number and title: Multiple

□ Final Proposal Date

Subsection number and title: Multiple

Handbook Revisions: Update items in red-italics and delete items in red-italics and strike-through.

	Official Use C	Dnly	
Faculty Senate voting results: Yes: No	o Abstain: _		cretary of the Senate
Sgnature, President of the Faculty Senate	Passed	Failed	Date
Sgnature, Vice President for Academic Affairs		Not Approved	_ Needs Study
Sgnature, President of University			_ Needs Study
Board of Regents:		Rejected	Date of BOR meeting
Received by U Returned to F		œ:	Date:

#### Rationale:

## Whereas, the SACSOOC 2024 Principles of Accreditation

regarding the appointment, employment, and regular evaluation of faculty members, regardless of contract or tenure

Whereas, current policy language regarding the annual review of faculty (Faculty Handbook Section 2.5) does not provide sufficient detail to fully meet the SACSCOC accreditation standard;

Whereas, House Bill 228 introduced in the 2024 Regular Session of the Kentucky General Assembly would require that,

Whereas, House Bill 228

у

Whereas, the Eastern Kentucky University (EKU) Faculty Senate approved an annual review of tenured faculty policy (<u>4.6.17 ACR</u>) and post-tenure review policy (<u>4.4.7 ACR</u>) in 2000 and have operated with these policies in place for 23 years;

Whereas, the American Association of University Professors (AAUP) has provided minimum standards for good practice if a formal system of post-tenure review is established (<u>AAUP, 1999</u>);

	LIDEDC - University Days Tax rat
Professional III III	

university service and professional activities. These performance standards may be based on existing department/unit annual evaluation standards, should be consistent with the Annual Evaluation Policy (2.5), Statement of Academic Freedom (2.9.1), and Code of Professional Ethics (2.9.2), and should be distinct from the criteria and processes for promotion (2.6) and tenure (2.7).

b. While it is the purview of each department/unit to establish criteria for annual performance evaluations of tenured faculty, the following university requirements are specified to ensure consistency and fairness of evaluations across departments/units.

ether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with their <u>Oriteria for the award of tenure or promotion should not be the</u> <u>standards for ongoing assessment of satisfactory performance</u>. Departments/ units should shall not be the sole basis for eva

across the four-year cycle. Departments/units and colleges may adopt additional brief and comprehensive evaluation procedures and requirements as long as they conform with the minimum requirements specified in this section.

A tenured faculty member may request a written review by the department/unit TFRC during any year of the assessment cycle and a record of any such review shall be maintained by the department chair/unit head and Dean. Year One of the assessment cycle will be the calendar year during which a faculty member was granted tenure by the Board of Regents.

Faculty on leave during the Spring semester following Years One, Two, and Three of the review cycle shall complete their brief annual review with the department chair/unit head by SEPTEMBER 15 and remain on the scheduled review cycle. Faculty on leave during the Spring semester following Year Four of the review cycle shall submit all comprehensive evaluation materials by FEBRUARY 1 with the comprehensive review of their performance continuing with the published timeline. In extenuating circumstances and with approval of the Provost in consultation with the Dean and department chair/unit head, a faculty member on leave during the Spring semester following Year Four of the review cycle may delay their comprehensive (Year Four) review for one calendar year.

Implementation. Faculty granted tenure in any year prior to the implementation of this policy will be randomly assigned to begin in Year One, Year Two, Year Three, and Year Four of the review cycle in a staggered manner to balance the number of comprehensive reviews conducted each year. Comprehensive evaluations conducted during the first three years after implementation will be considered pilot evaluations and shall not be used as the basis for the activation of intensive development.

#### 2.19.2.1 Brief review (Year One, Year Two, and Year Three Review)

During the spring semester, but no later than MAY 15, department chairs/unit heads will hold a conference with each tenured faculty member in the department/unit to discuss performance during the previous calendar year and will provide the faculty member with a brief written annual review with a copy to the Dean. During this conference the department chair/unit head and the faculty member will

no later than SEPTEMBER 15. These goals should focus on the performance concerns identified in the comprehensive review and should include specific outcome objectives. The department

during each annual review of the subsequent review cycle, or until all goals are met.

n the same domain(s) by the department chair/unit head with concurrence by both the TFRC and the Dean during two successive annual review cycles will begin the intensive development process (see 2.19.3).

## 2.19.2.3 Special University Recognition

## Tenured fa

will be eligible for special university recognition. The dean shall forward all eligible faculty to the

APRIL 15. Each college committee will identify standards that they will use to award the special recognition awards, which shall be based on the materials submitted by the faculty member for the comprehensive annual review and the comprehensive evaluation report of the chair (and TFRC and Dean, if applicable). The number of faculty awards per college will be proportionate to the number of tenured faculty in each college, as determined by the Board of Regents Teaching awards distribution system. A one-time monetary award of no less than \$1,000 shall be given to individual faculty awarded special university recognition by the college awards committee. The college committee will notify awarded faculty members, their department chair/unit head, and Dean by MAY 15 and the awards shall be available to each awarded faculty to be used within the subsequent fiscal year at their discretion for travel, equipment, materials, professional development, outreach, or other professional expenses with chair approval. The Provost and Vice President for Academic Affairs shall designate a line item of no less than \$20,000 in the annual budget for these special recognition awards.

## 2.19.3 Intensive Development

Intensive development is intended to be a more formal professional development mechanism to address faculty performance concerns after other attempts, including the annual evaluation process of tenured faculty, have not resulted in sufficient improvement. The intensive development process does not become activated until at least one of the following conditions apply:

a. Refusal to participate in the annual evaluation process as described in 2.19.2 (Annual Evaluation Process for Tenured Faculty).

two successive comprehensive (Year 4) evaluations by the department chair/unit head with concurrence by the TFRC and the Dean (see 2.19.2.2.4)

c. A recommendation from the department chair/unit head, University Post-Tenure Review Committee (UPTRC), the Dean, and the Provost to activate the process in lieu of immediate dismissal for cause.

Refusal of the faculty member to participate in any aspect of the intensive development process can result in sanctions as described in this policy. If the department chair/unit head believes that a refusal to participate has occurred, they shall notify the faculty member in writing of the specific basis for their belief and shall propose specific action(s) for the faculty member to demonstrate good faith

shall also be provided with a copy of the notification and all materials. The Provost shall obtain written agreement to serve from the temporary UPTRC member selected by the notified faculty member (if provided) and shall forward the notification and all supporting materials to the chair of the UPTRC by SEPTEMBER 15.

4. By OCTOBER 1, the UPTRC and Dean shall state independently in writing whether they concur with the recommendation for intensive development. If they do not concur they shall state in writing the reasons for the differing recommendation. They shall forward their written recommendations to the Provost.

5. By OCTOBER 15, the Provost shall make a determination whether there is sufficient basis for intensive development and shall notify the faculty member, department chair/unit head, chair of the UPTRC, and the Dean. In circumstances where intensive development is activated as an alternative to immediate dismissal for cause (2.19.3.c), the Provost shall only authorize the process if they, the department chair/unit head, UPTRC, and the Dean all recommend the activation of intensive development. If the Provost determines that there is insufficient basis for intensive development the faculty member will resume the routine annual evaluation process for tenured faculty (2.19.2). If mutually agreeable to the notified faculty member and the Provost, the Provost may decline to authorize intensive development for a faculty member who has committed in writing to voluntary separation from their tenured faculty position at the conclusion of the current or following academic year.

#### 2.19.3.2 Formation of the Intensive Development Plan

1. By NOVEMBER 1, the faculty member undergoing intensive development, the chair of the department/unit Tenured Faculty Review Committee (TFRC), the chair of the UPTRC, and the faculty

written intensive development plan to address the conditions that activated the intensive development process (see 2.19.3.2.1 for plan specifications).

- a. If all parties mutually agree to a plan, they shall all state so in writing and the chair of the UPTRC shall forward the draft intensive development plan to the department/unit TFRC, department chair/unit head, UPTRC, and Dean.
- b. In the event a mutually agreeable plan cannot be developed, the chair of the department/unit

UPTRC (if applicable) shall adopt a draft plan by majority vote and the faculty member undergoing intensive development may respond in writing by NOVEMBER 15. The chair of the UPTRC shall forward the draft intensive development plan and any written response by the faculty member (when available) to the department/unit TFRC, department chair/unit head, UPTRC, and Dean.

2. By DECEMBER 1, the faculty member undergoing intensive development, chair of the department/unit Tenured Faculty Review Committee (TFRC), the chair of the UPTRC, and the faculty cted temporary member of the UPTRC (if applicable) shall meet or correspond with the department chair/unit head and Dean to collaboratively revise the intensive development plan. The chairs of the department TFRC and UPTRC shall also solicit feedback from their respective committees regarding the intensive development plan as part of this collaborative process.

a.

Dean do not concur with the department chair/unit hea

for cause or suspension shall go into effect on JJLY1 unless a later date of effect was issued by the Provost. If the sanctions include a recommendation by the Provost for dismissal for cause or suspension, the President shall decide whether to initiate preferral of charges in a dismissal proceeding or suspension of the faculty member no sooner than JJLY1 and no later than DECEMBER 15, with notice to the faculty member, Provost, Dean, chair of the UPTRC, and department chair/unit head.

4. In the event of a hearing, the appealing faculty member shall be guaranteed due process which shall

Membership: One tenured faculty member elected from each academic college/school and the University Libraries for a staggered three-year term. Should circumstances prevent a member of the University Post-Tenure Review Committee from serving, a replacement shall be elected by the college/school or library tenure committee. In addition to the standing members of the committee, a faculty member in intensive development may select one additional member of the committee from any full-time tenured faculty member within or outside their college. This additional committee member shall be a temporary member of the committee, shall only participate and vote in matters that involve the faculty member who selected them, and shall not chair the committee.

SECTION 1.5.3.2 OF THE FACULTY HANDBOOK IS AMENDED TO READ AS FOLLOWS.

1.5.3.2 University Tenure and Post-Tenure Review Appeals Committee (UTC)

(This committee is established by the Tenure Policy as adopted by the Board of Regents August 7, 1975, and amended February 21, 1976, and September 6, 1980. The charge of this committee was expanded to include oversight of the post-tenure review intensive development process, as adopted by the Board of Regents <DATE>)

Submits recommendations to the President or as indicated.

#### SECTION 2.4.1 OF THE FACULTY HANDBOOK IS AMENDED TO READ AS FOLLOWS.

2.4.1 Personnel Files for Ranked Faculty

Personnel files are maintained on each faculty member relative to his/her employment with the university. The essential contents and location of these personnel files are explained below:

The file in the Office of the President shall include:

1. original signed contracts; and other requested information.

The file in the Office of Institutional Diversity, Equity and Access shall include:

1. Affirmative Action Compliance information.

The file in the Office of the Provost and Vice President for Academic Affairs shall include:

- 1. vita and official transcript(s);
- 2. materials establishing academic credentials in lieu of a degree, if any;
- 3. the promotion file;
- 4. the tenure file;
- 5. the leave file;
- 6. the intensive development file (if applicable); and
- 7. other requested information.

The file in the Office of Human Resources shall include:

- 1. personal data;
- 2. hiring transaction documents (payroll notices);
- 3. payroll change documents (salary increases or changes, changes in status);
- 4. salary and fringe benefit data; and
- 5. insurance and benefits documentation.
- 6. Background Check Consent Form; and other requested information.

The file in the Office of the Dean shall include:

1. copy of vita and copy of official transcript(s);

Deadline	Process	Responsible Party
May 15	Brief review conference & brief written review	Department Chair and Tenured Faculty Member

## Overview of Comprehensive Review (Year Four) Annual Evaluation Deadlines

Deadline	Process	Responsible Party
February 1	Comprehensive review materials submitted	Tenured Faculty Member
March 1	Comprehensive review written evaluation	Department Chair
March 15	Optional	Tenured Faculty Member
April 1		Department TFRC
April 15		College Dean

Overview of Intensive Development Deadlines

Deadline

Process

Responsible Party

Outcome Year

February 15 <sup>°</sup>	Department TFRC and chair review of intensive development plan	Department TFRC and Department Chair
March 1	Solutions Conference	Tenured faculty member, Department Chair, and faculty
		member of the UPTRC
March 15	Solutions deadline	Tenured faculty member and Provost
April 1	Chair proposes sanctions	Department Chair
April 15	Optional faculty response to sanctions	Tenured faculty member
May 1	UPTRC and Dean review of sanctions	UPTRC and Dean
May 15	Provost imposes/recommends sanctions	Provost
June 15	Appeal notification	Faculty under review
June 30	Appeal hearing decision	UTC
September 15	Appeal hearing	UTC
October 15	UTCreport	UTC
December 15	President appeal/sanctions decision <sup>d</sup>	President

<sup>a</sup>End of Spring semester following Year 4 of the annual evaluation cycle for tenured faculty <sup>b</sup>Intensive development plan year

°Year following the conclusion of the intensive development plan

<sup>d</sup>For sanctions that include suspension or dismissal for cause