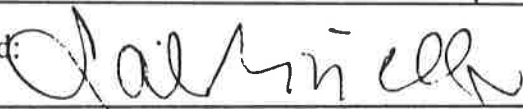


AUSTIN PEAY STATE UNIVERSITY
POLICIES AND PROCEDURES MANUAL

Policy Number: 5:010	Supersedes Policy Number: 5:010
Date: August 2, 1999	Dated: August 1, 1996
Subject: Personnel Policies and Procedures for Faculty	
Initiating Authority: Vice President for Academic Affairs	TBR Policy/Guideline Reference: 5:01:00:00, 5:02:02:00, 5:02:03:00
Approved:  President	

I. GENERAL EMPLOYMENT PRACTICES FOR FACULTY MEMBERS

The primary objective of faculty personnel procedures at Austin Peay State University (APSU) is to develop an academic climate conducive to excellence in teaching, research, and artistic expression among faculty, students, and the community at large. The heart of an academic climate includes cultural and intellectual freedom, diversity, and debate in pursuit of the classical goals of truth, beauty, and justice.

To gain this end, the University must recruit, retain, and encourage the finest possible faculty members and allow them freedom of instruction, research, and artistic production within their areas of expertise.

The quality of the faculty of APSU must be maintained through responsible, thorough evaluation of colleagues by members of the faculty and the administration. The purpose of such evaluations is to build and maintain an excellent faculty and to offer just recognition and encouragement of achievement.

Evaluation alone, no matter how just the procedures, cannot ensure a faculty of high quality. Each college and department in the University should have a program to encourage faculty development, either independently or in cooperation with other University offices.

- A. The University's general employment policies for the teaching and research faculty are formulated in accordance with and subject to the Tennessee Board of Regents' (TBR 5:02:03:00) policy statement entitled "Policy on Academic Freedom, Responsibility, and Tenure," as revised on March 15, 1991, and by such revisions as may be made by subsequent TBR action.

- B. The TBR empowers the President of the University to appoint individuals to faculty positions.

Faculty members--instructors and those holding professorial ranks receive one (1) year appointments. Full-time employees in one (1) of these ranks may be granted continuing employment under the provisions of the tenure policies outlined subsequently and then may be terminated only in accordance with these provisions.

- C. The terms of every new appointment shall be stated in writing and be in the possession of both the prospective faculty member and the administration before the appointment is confirmed. Each time a faculty member is reappointed the terms of the reappointment--including salary, contract year, department of assignment, and rank--shall be stated in writing and be in his/her possession before the expiration of his/her previous assignment, to the extent possible. Since no agreement may become final until the TBR has approved annual budgets, and since such approvals may sometimes not be given until after termination of the academic year, it may not be possible to guarantee an upcoming year's salary before the expiration of a previous appointment. In such instances, a faculty member will be furnished in writing the terms of his/her reappointment which will become effective with the approval of the University's budget.
- D. At the time of employment, a new faculty member shall be informed of the current university, college, and department standards by which he/she can expect to be judged for tenure and shall be furnished a copy of the FACULTY HANDBOOK. The complete and updated APSU POLICY MANUAL is available on the Administrative Computer System.

II. ACADEMIC FREEDOM AND RESPONSIBILITY

- A. APSU endorses the 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors as revised and refined since 1940, and also the Statement on Professional Ethics of the same organization, insofar as these are not limited by State law or the policies of the Board of Regents of the State University and Community College System of Tennessee. The University also regards the AAUP's POLICY DOCUMENTS & REPORTS (1984) as a useful philosophic and practical guide to academic rights and responsibilities.
- B. The University recognizes the principle of academic freedom, including:
 - 1. The faculty member is entitled to freedom in the classroom in discussing his/her subject, excluding the teaching of controversial matter which has no relation to the subject.
 - 2. The faculty member is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his/her other academic duties, but research for pecuniary gain must be based upon an understanding with the university.

3. The faculty member is a citizen, a member of a learned profession, and an officer of an educational institution. As such, he/she should remember that the public may judge the profession and the institution by the faculty member's utterances. When the faculty member speaks or writes as a citizen, he/she should be free from institutional censorship or discipline, but should indicate that he/she does not speak for the institution.
4. Academic freedom is essential to fulfill the ultimate objectives of an educational institution-- the search for and expression of truth--and applies to both teaching and research. Freedom in research is fundamental to the advancement of knowledge. Academic freedom in teaching is a basic protection of the intellectual rights of both teacher and student. Implicit in the principle of academic freedom are the corollary responsibilities of the faculty who enjoy that freedom. Incompetence, indolence, intellectual dishonesty, serious moral dereliction, arbitrary and capricious disregard of standards of professional conduct-- these and other grounds as set forth in Section VII.F.1. may constitute adequate cause for dismissal or other disciplinary sanctions against faculty members subject to the provisions of Section V. Academic freedom imposes upon the faculty an equal obligation to take appropriate professional action against faculty members who are derelict in discharging their professional responsibilities (VII.F.2.). Thus, academic freedom and academic responsibility are interdependent, and academic tenure is adopted as a means to protect the former while promoting the latter. While academic tenure is essential for the protection of academic freedom, all faculty members, tenured or non-tenured, have an equal right to academic freedom and bear the same academic responsibilities.

III. INITIAL APPOINTMENTS

While all personnel decisions affect the quality and vitality of the University faculty, none is more important than the initial appointment to a tenure-track position. Candidates for initial appointment should be carefully evaluated so that new faculty members will not merely fill positions but will also bring greater intellectual or artistic distinction to the University.

- A. Minimal Criteria. Initial appointment to a full-time probationary position requires possession of, or significant progress toward completion of, the doctorate or appropriate terminal degree. Exceptions may be made in the instance of candidates whose academic, scholarly, or professional achievements make a unique contribution to the University. The basis of such an exception shall be made a permanent part of the faculty member's record and shall be considered in retention and tenure decisions. The following conditions and requirements shall apply to faculty having had teaching or equatable experience before appointment to the faculty at Austin Peay State University.
 1. Only full-time college and university teaching or full-time equated experience shall be considered.

2. No distinction shall be made between two-year and four-year institutions of higher education in crediting years of academic experience.
3. Countable years of experience shall be in the discipline or closely related area.

The following minimum rank qualifications must be met in initial appointment to an academic rank:

1. Instructor

- a. Potential ability in instruction, public service, and research.
- b. Evidence of good character, mature attitude, and stable personality.
- c. Master's degree in the instructional discipline or related area.

2. Assistant Professor

- a. Potential ability in instruction, public service, and research.
- b. Evidence of good character, mature attitude, and stable personality.
- c. Earned doctorate from an accredited institution in the instructional discipline or related area.

or

Master's degree in the instructional discipline when that Master's degree is the recognized terminal degree in that instructional discipline.

or

Master's degree in the instructional discipline or related area

plus

30 semester hours (45 quarter hours) beyond the Master's in that instructional discipline or related area

plus

appropriate professional experience in the instructional discipline or related area.

3. Associate Professor

- a. Documented ability (beyond merely potential) in instruction, public service, and research.
- b. Evidence of good character, mature attitude, and stable personality.
- c. Earned doctorate or appropriate terminal degree from an accredited institution in the instructional discipline or related area.

plus

Five (5) years appropriate professional experience in the instructional discipline or related area.

4. Professor

- a. Documented ability (beyond merely potential) in instruction, public service, and research.
- b. Evidence of good character, mature attitude, stable personality and high degree of academic maturity and responsibility.
- c. Documented evidence of a substantial quality of professional productivity, and state, regional or national recognition in the academic discipline.
- d. Earned doctorate or appropriate terminal degree from an accredited institution in the instructional discipline or related area

plus

Ten (10) years appropriate professional experience in the instructional discipline or related area.

5. Exceptions to these minimum rank qualifications can be made by recommendation of the President as an exception and approval by the Tennessee Board of Regents.

B. Evidence. Candidates for appointment shall present, along with their applications, a curriculum vita containing proof of appropriate education and, whenever possible, evidence of teaching ability, as well as of scholarly or artistic achievement.

C. Searches.

- 1. Primary responsibility for defining the academic assignment and for

"determining the precise qualifications for candidates rests with the department in which the new faculty member will serve, or, when a new department or division is being formed, with the college.

2. All steps and actions should comply with Affirmative Action/Equal Opportunity guidelines.
3. A search committee, to be chaired by the department chairperson, shall be selected by the department. The committee shall include a minimum of two (2) tenure-track faculty members. In addition, one (1) student shall be selected to serve. Insofar as possible, the search committee shall include members of protected groups. At the discretion of the department, it is encouraged that a person outside the department serve on the search committee. Names of all search committee participants shall be forwarded to the college dean as soon as selected.
4. Having defined in writing the assignment and qualifications, the department, upon decanal approval, should conduct a national search through, among other sources, advertising in those professional journals serving that discipline.
5. Applications with curriculum vitae thus gathered should be carefully screened and ranked according to the stated criteria, remembering that one major goal is to improve academic climate. Informal interviews of the candidates by appropriate personnel by telephone or at professional meetings are also encouraged.
6. The search committee, in collaboration with the Dean, may then select two (2) or more candidates for formal on-campus interviews, subject to the availability of funds.
7. The search committee, in collaboration with the Dean, then should select the best available candidate in terms of the written criteria used from the beginning of the search and recommend that person for appointment to the Dean, the Vice President for Academic Affairs, and the President.
8. This process is time-consuming, often requiring at least six (6) months to complete. No appointment to a tenure-track position should be hurried. Thus, if an emergency condition exists, the post should be filled with temporary or adjunct faculty until a proper search can be conducted.
9. If any of these steps is omitted or slighted, the department head and the Dean must present written justifications to the Vice President for Academic Affairs.
10. Initial appointments to academic-administrative posts with rights to a teaching post shall be reviewed by the appropriate department for the academic area

in which tenure-track status is requested. Criteria for gaining such tenure shall be identical with that of other faculty in that area, i.e., Effectiveness in Academic Assignment, Scholarly and Creative Activity, and Professional Contributions and Activities.

11. Credit for prior service toward tenure shall be determined in writing at the time of initial appointment. Ordinarily, no more than two (2) years of prior service credit will be awarded. Recommendations on prior service are the responsibility of the Vice President for Academic Affairs after consultation with the appropriate dean, department chairperson, and department personnel committee. The departmental chairperson shall notify all faculty within the relevant department of the amount of credit for prior service awarded to newly appointed tenure-track faculty at the time of employment and such information shall become a permanent part of the faculty member's record.

D. Types of Appointments. There are three (3) types of faculty appointments: temporary appointments, tenure-track appointments, and tenure appointments.

1. Temporary appointments are appointments for a specific temporary purpose. These appointments may be terminated according to the terms of the appointments. Temporary appointments ordinarily should be used for lecturers, adjunct or part-time faculty members, faculty members employed to replace regular faculty members on leave of absence, and faculty members employed pursuant to grants or for projects funded in whole or in part by non-appropriated funds. In addition, temporary appointments may be used for faculty members employed on the basis of state appropriated funds in departments, divisions, or other academic units where the permanent and continued need for the position has not been established, provided that such appointments should not exceed a total of three (3) academic years. Any request for an extension beyond three (3) years will require the approval of the Chancellor.
2. Tenure-track appointments are appointments for regular full-time faculty members with academic rank and may be for the academic or fiscal year. Tenure-track appointments are for faculty members who are employed in a probationary period preliminary to consideration for tenure. Tenure-track appointments shall not include any right to permanent or continuous employment, shall not create any manner of legal right, interest or expectancy of renewal or any other type of appointment, and shall be subject to annual renewal by the institution.
3. Tenure appointments are appointments of full-time faculty members who have been awarded tenure by the TBR pursuant to the provisions of this policy. Tenure appointments include the assurance of continued employment for the academic year for an indefinite period, subject to expiration, relinquishment, or termination of tenure as hereinafter provided. Such appointments do not

include assurance of continued employment at any specified salary or position or employment during summer sessions or inter-sessions.

E. Probationary Employment.

1. Probationary faculty members may be employed on annual tenure-track appointments for a maximum probationary period which may not exceed seven (7) years. A recommendation of a faculty member for tenure following a probationary period of not less than five (5) full academic years may be made by the President. Exceptions to the minimum probationary period may be made under special circumstances upon recommendation by the President and the Chancellor and approval by the TBR.
2. The minimum probationary period of five (5) appointment years may include credit for prior service when approved by the President, subject to the maximum permissible credit for prior service, pursuant to Section III.C.11.
3. Employment during summer terms, in part-time positions, or during leaves of absence (except in the circumstance described in Section III.E.4 below), shall not be credited toward satisfying the probationary period.
4. Only full-time continuous service at an institution will be included in determining completion of the probationary period, except where an interruption in service was pursuant to an approved leave of absence. The period of approved leave of absence shall be excluded from the requisite period of completion of the probationary period unless the President specified in writing prior to the leave of absence that it shall be included in the probationary period. In no case may more than one (1) year of approved absence be included in determining completion of the probationary period.
5. When a tenure-track faculty member is appointed to an administrative position, a prorated portion of the time assigned to teaching or scholarship may be credited toward completion of the probationary period. The department or division in which the faculty member would otherwise be employed must still initiate the tenure action.
6. If a faculty member is serving a probationary period in an academic unit or program and possesses such expertise and credentials that the faculty member could serve effectively in another unit, either he/she or the University may request such transfer. Such transfer requires compliance with Section IV.C. Time spent in the first appointment shall count toward establishing the minimum and maximum probationary period (see Section III.E.1) unless the President gives written approval to begin a new probationary period.

IV. CRITERIA FOR EVALUATION OF FACULTY MEMBERS

Faculty members shall be evaluated for retention, tenure, merit salary adjustments, and promotion in the areas listed below and according to the standards indicated for the particular personnel action being considered. Any deviation from that policy may be the basis for filing a grievance. Time periods for particular personnel actions, and supporting dossier material relevant to each action, are as follows:

Retention - since initial appointment

Tenure - since initial appointment

Promotion - since initial appointment or date of last promotion whichever is the more recent.

Merit - since the date of last merit raise.

All faculty members shall be subject to personnel evaluation annually during the Spring Term. Faculty otherwise evaluated during the year for retention, tenure, promotion, or merit shall be excluded from this annual Spring Term process.

- A. General Criteria. The following are general criteria to be used in evaluating faculty members for any personnel action. This list is not exhaustive, and the selection and relative importance of each of these criteria will vary with the type of action contemplated as well as the nature and mission of the department to which the faculty member is assigned. It should also be recognized that common sense and flexibility need to be used in the application of criteria. Faculty members truly outstanding in one (1) area but less active or successful in others may well be contributing more to the well-being of the University than someone adequate in all areas but outstanding in none.

Reasonable expectations for the following evaluative criteria for retention, tenure, promotion and merit shall be established in writing at the departmental and college levels as a standard or basis for personnel actions.

1. Teaching effectiveness.
2. Effectiveness in other academic assignments, including student advisement and institutional committee assignments, and departmental and program administrative assignments.
3. Research, scholarly and creative activity.
4. Professional degrees, awards, and achievements.
5. Professional service to the University, the community, and the State or Nation.

6. Activities, memberships, and leadership in professional organizations.
7. Evidence of continuing professional development and growth; and potential for contributions to the objectives of the department and the University.

B. Areas of Evaluation. For convenience and further clarification, APSU groups these criteria into three general areas of evaluation: Effectiveness in Academic Assignment, Scholarly and Creative Achievement, and Professional Contributions and Activity.

1. Effectiveness in Academic Assignment. Candidates should be evaluated within the scope of their defined academic assignment. For most faculty members, judgment of "Effectiveness in Academic Assignment" will involve evaluation primarily of teaching, student advising, and related instructional activities. For others, such as department chairpersons, coordinators, counselors, and field supervisors, part or all of their assignment is of a non-teaching nature and should be evaluated accordingly. Positive evaluation in the area "Effectiveness in Academic Assignment" is the prime but not sole condition for retention, tenure, merit salary adjustment, or promotion.
 - a. Teaching Effectiveness. Evidence for teaching effectiveness shall include a list of courses taught, a sample of relevant course materials, and student evaluations¹ since the most recent similar action was taken. Evidence may also include letters from present and former students solicited on a statistically random basis by the department chairperson and returned to him/her and all included in the dossier; reviews of public talks or lectures; evaluations by the faculty member's colleagues and deans and directors supervising special programs in which the faculty member participates. Faculty members may present their own analyses of their student evaluations, teaching materials, and teaching methods. Contributions such as the direction of student research and special studies, student advisement, the development or initiation of new courses, involvement in Continuing Education programs, and carefully evaluated and properly supervised experimentation in instruction also should be included.
 - b. Non-Teaching Assignments. Non-teaching assignments include such services as dean, department chair, chair or director of other special units, coordinator of freshman laboratories, gallery director, museum

¹ See APSU Teaching Effectiveness Rating Scale.

The Student Government Association (or appropriate representatives thereof), the Faculty Senate (or appropriate representatives thereof), and the Deans Council (or appropriate representatives thereof) shall review as needed the administration of the APSU Teaching Effectiveness Rating Scale (or subsequently adopted evaluatory instruments) and the use of this information in faculty personnel processes.

director, coordinator of academic programs, grant development, and special activities for which reassigned time is given. For non-teaching assignments, evidence of effectiveness may include evaluations by professional people, on or off campus, who are in a position to judge the faculty member's work.

- c. Other Responsibilities. Part of every faculty member's academic assignment is regular participation in the governing and policy-making processes of the University, and such participation should be included in this area of evaluation. The faculty member should be evaluated for participation or leadership on departmental, college, and University committees and other bodies, and for contributions to student welfare through membership on student-faculty committees, service as an advisor to student organizations, student recruitment and related activities.
2. Scholarly and Creative Achievement. Research and scholarly and creative activities are important to the University's role in society. Clear evidence of the quality of work shall be a part of every evaluation, including evaluations from deans and directors supervising special programs in which the faculty member participates. Evidence supplied by the candidate or others might include the following:
 - a. Publications. These include books or chapters in books, textbooks, articles in refereed journals, articles in non-refereed journals, monographs, refereed and non-refereed conference proceedings, book reviews, and other similar published materials.
 - b. Papers Presented. These include those papers presented at local, state, regional, national, and international professional meetings. The significance of content and selection process should be considered in reviewing such presentations.
 - c. Performance or Exhibitions. These include performances or exhibitions that are invited or juried by nationally or regionally recognized members or groups within that area of expertise.
 - d. Research or Arts in Progress. Verification of stages of development is mandatory.
 - e. Other Items. These include funded or unfunded research proposals, grant applications, computer software development, audio-visual media, and other similar material.
 3. Professional Contributions and Activities. Evidence of a faculty member's contributions in the area of professional service might include examples of

assistance to the faculty member's discipline, the local community, and to the larger society. Documentation of all service activities is required and may include evaluations from colleagues, deans and directors supervising special programs in which the faculty member participates. Service should include participation in organizations and on committees, although more significance will be attached to formal and informal leadership than to mere membership. Evidence might involve:

- a. Service to One's Discipline. This category includes memberships and leadership positions in professional organizations at state, regional, or national levels and includes service as track chair, session chair, discussant, paper reviewer, editorial staff, etc.
- b. Service to the Community. This category includes presentations related to one's discipline; providing professional advice or consultations to groups or individuals; and providing other types of service related to the discipline, particularly in the University's service area.

C. Criteria for Assessing the Long-Term Staffing Needs The long-term staffing needs of the department/division and the University are taken into account at each level in the review process when candidates are evaluated for tenure. Criteria to be considered may include:

1. University mission.
2. Enrollment patterns.
3. Program changes.
4. Potential resources for staff additions.
5. Prospective retirements and resignations.
6. Maintenance of adequate faculty to support essential curricula.

V. ACADEMIC TENURE

- A. Importance of Tenure. Tenure is a crucial designation among faculty and is designed to protect and foster the finest possible educational and academic climate. In granting tenure, the University makes a professional lifetime commitment to a faculty member, and thus the faculty member must show promise of continuing to be a good teacher, a responsible member of the academic community, and a productive scholar or artist during his or her tenure at the University before such a commitment is made.

B. Definitions.² The following are general definitions of terms used in this policy. The terms are subject to further qualification and definition in the subsequent sections of this policy.

1. Academic Tenure. Tenure is a protective status granted after a probationary period to full-time faculty with academic year appointments in a department, division, or program of a college, university, or institute. This status is continued until retirement for age or physical or mental disability. Tenure does not protect the faculty member from dismissal for adequate cause or unavoidable termination on account of financial exigency or curricular reasons. Tenure is awarded only by positive action by the Tennessee Board of Regents, in conformity with the requirements and procedures of this policy at APSU. The awarding of tenure is a recognition of the merit of a faculty member and of the assumption that he/she would meet the long-term staffing needs of the department or division and the institution. It is only awarded to those members of the faculty who have exhibited the professional excellence and outstanding abilities which demonstrate that their future services and performances justify the degree of permanence afforded by academic tenure. (See Note on definition of tenure.)
2. Faculty Member. A full-time employee who holds academic rank as instructor, assistant professor, associate professor or professor and, for purposes of this policy, meets the minimum requirements for eligibility for tenure in Section V.C. and whose responsibilities primarily include instruction, research, scholarly and/or creative activity, and professional service. Department chairs should be considered faculty members with departmental administrative reassigned time.
3. Probationary Employment. A period of full-time professional service by a faculty member for whom an appointment letter denotes a tenure-track appointment in which he/she does not have tenure and in which he/she is annually evaluated by the institution for the purpose of determining his/her satisfaction of the criteria for a recommendation for tenure.
4. Temporary Appointment, Tenure-Track Appointment, and Tenure Appointment. These three (3) types of faculty appointments are defined in Section III.D. of this policy.
5. Adequate Cause. A basis upon which a faculty member, either with academic tenure or a tenure-track or temporary appointment prior to the end of the

² The definition of tenure became effective on January 1, 1984. That definition shall only apply to faculty tenured subsequent to the effective date. For faculty members tenured previous to January 1, 1984, the applicable definition of tenure shall be: "a status pursuant to which the academic year appointments of full-time faculty who have been awarded tenure are continued at an institution until the expiration or relinquishment of that status, subject to termination for adequate cause or for financial exigency or curricular reasons."

specified term of the appointment, may be dismissed. The specific grounds which constitute adequate cause are set forth in Section VII.F.1.

6. Financial Exigency. The formal declaration by the Tennessee Board of Regents that APSU faces an imminent financial crisis, that there is a current or projected absence of sufficient funds (appropriated or non-appropriated) for the campus as a whole to maintain current programs and activities at a level sufficient to fulfill its educational goals and priorities, and that the budget can only be balanced by extraordinary means which include the termination of existing and continuing academic and non-academic appointments.

C. Minimum Eligibility Requirements for Consideration for Academic Tenure.

1. Academic tenure may be awarded only to full-time faculty members who: a) hold academic rank as instructor, assistant professor, associate professor, or professor and meet the minimum rank criteria for the rank held under university policies and TBR Policy No. 5:02:02:00; b) have been employed through tenure-track appointments and have completed not less than the minimum probationary period of service; and c) have been determined by the institution to meet the criteria for recommendation for tenure and have been so recommended based upon this policy.
2. Faculty holding temporary appointments are not eligible for tenure.
3. Faculty members supported in whole or in part by funds available to the institution on a short-term basis, such as grants, contracts, or foundation-sponsored projects, shall not be eligible for tenure unless continuing support for such members can be clearly identified in the regular budget of the institution upon the recommendation of tenure to TBR.
4. No faculty member shall be eligible for tenure in an administrative position; however, when a faculty member with tenure is appointed to an administrative position, he/she will retain tenure in the former faculty position; and a faculty member otherwise eligible for tenure who holds an administrative position may be awarded tenure in the faculty position only, subject to the requirements of this policy.

VI. RETENTION AND TENURE PROCESS

The President has the authority to recommend tenure or to continue faculty members in probationary status, in accord with the provisions elsewhere in this policy. The President shall base his determination upon consideration of the recommendations of departmental and college retention and tenure committees, and upon the recommendations of departmental chairpersons, college deans, and the Vice President for Academic Affairs. Copies of all personnel actions made at every level shall be

sent to the faculty member, departmental chairperson and Dean on a timetable consistent with the Calendar For Personnel Action.

A. Departmental Recommendations.³

1. The departmental chairperson shall inform faculty members who are to be reviewed of the nature of materials required by the retention and tenure committee and the date by which these materials must be received for committee consideration. The departmental chairperson shall be responsible for maintaining the dossier of each faculty member, which shall include copies of all prior years' APSU personnel recommendations by departmental and college committees and chairpersons and deans. Included in it shall be a description and a curriculum vita of the candidate's scholarly and professional achievements. It is an administrative responsibility of the chairperson to ensure that the evidence necessary for a full and fair evaluation is contained in the dossier, but it shall be the primary responsibility of the faculty member under review to gather the necessary evidence and to provide an up-to-date vita and dossier.
2. The faculty member's dossier shall be arranged in the following order with an initial brief statement of intent:
 - (a) Department Chairperson Faculty Performance Review Form.
 - (b) Department Committee's Retention & Tenure Recommendation Form or Promotion Recommendation Form as appropriate.
 - (c) College Committee and Deans Retention and Tenure Recommendation Form/Promotion Recommendation Form as appropriate.
 - (d) An up-to-date vita.
 - (e) A summary of evidence supporting Effectiveness in Academic Assignment, Scholarly and Creative Achievement, and Professional Contributions as Activities since the most recent personnel action.
 - (f) Copies of all previous years' APSU personnel recommendations by departmental and college committees and chairpersons and deans.
 - (g) Description of academic assignment with any selected related materials. Copies of all supporting documents shall be available in the appropriate departmental office.

³ See APSU Retention/Tenure and Promotion Recommendation forms.

- (h) Materials related to Scholarly and Creative Achievement, including evaluations by off-campus authorities in the relevant field.
 - (i) Materials related to Professional Participation and Public Service, including evaluations by off-campus authorities in the relevant field.
 - (j) All student evaluations of instruction since coming to APSU. This is to be the last set of materials, at the back of the file. For second-year faculty, this would include the fall and spring evaluations from their first year.
 - (k) Any dossier considered to be incomplete at the initial departmental review level should be returned to the faculty member for timely revision and resubmission prior to consideration at any level.
3. The Departmental Retention and Tenure Committee shall be convened by the departmental chairperson in a timely fashion (for schedule, see Section VI.D.8). The committee will then select a presiding officer, who shall be a voting member of the committee. The presiding officer will select a committee member to take notes to provide a summary statement reflecting the strengths and weaknesses noted during the review of each dossier, which notes can be used as reference material for the written evaluation. The departmental chairperson will be able to participate in the discussion. However, as the time for voting approaches, the chairperson will leave the room. Further discussion may ensue. A vote then will be held by secret ballot and the results recorded on the appropriate personnel form by the presiding officer. A member of the committee voting with the majority shall be selected to write the evaluation of the faculty member for the committee. A member of the committee voting with the minority may write, in collaboration with other members in the minority, a minority report, which shall be forwarded with the committee's recommendation. In the event of a tie vote, two (2) minority reports will be written and forwarded to the next level in the personnel process. After the departmental committee acts on a faculty member's dossier and forwards it to the next level, the departmental action cannot be rescinded, unless authorized in writing by the President.
4. The departmental chairperson shall write a separate evaluation of and recommendation for the faculty member under review and forward it with the committee evaluation (Chairperson's form, Faculty Performance Review) to the college level. After the departmental chairperson acts on a faculty member's dossier and forwards it to the next level, the departmental chairperson's action cannot be rescinded, unless authorized in writing by the President. Immediately after the departmental chairperson's action is completed, the faculty member's dossier is considered to be complete, and nothing can be added or deleted except as the result of the appeal process

(VI.D.) The department chair shall inform, in writing, the faculty member under review of the chair's recommendation.

5. A decision regarding tenure normally shall be made during a faculty member's sixth year of full-time probationary service at the University, including credit for prior service. The maximum period of probationary service is seven (7) years and the minimum period for tenure consideration is five (5) years.
6. The faculty member shall sign to indicate having read the recommendations of the departmental committee, and shall have access to all materials forwarded to the college committee. If the candidate disagrees with the recommendation of the departmental committee, the right to appeal in writing to the college committee and the college dean shall be available (see Section VI.D.).

B. College Recommendations.

1. A college retention and tenure committee shall be composed of one (1) tenured faculty member elected from each department within the college according to procedures established by the college. If a college has fewer than four (4) departments, two (2) tenured faculty members from each department shall be elected to serve on the retention and tenure committee. If a department has an insufficient number of tenured faculty to serve on the college committee, the department shall elect appropriate representatives from other departments within the college provided that they are not representatives from their own department. Each college shall have an additional tenured member elected at large by the electorate of the college. If a department has no tenured faculty, their interests will be protected by the committee as a whole. Departmental chairpersons may not serve on the college committee.
2. The College Retention and Tenure Committee shall be convened by the college dean in a timely fashion (see Section VI.D.8). The committee will then select a presiding officer, who shall be a voting member of the committee. The presiding officer will select a committee member to take notes to provide a summary statement reflecting the strengths and weaknesses noted during the review of each dossier. These notes can be used as reference material for the written evaluation. Members of the committee may solicit documented information from the dean or other persons from the college who are not members of the committee. The dean will be able to participate in the discussion. However, as the time for voting approaches, the dean will leave the room. Further discussion may ensue. A vote will be held by secret ballot and recorded on the appropriate personnel form by the presiding officer. A member of the committee voting with the majority shall be selected to write the evaluation of the faculty member for the committee. A member of the committee voting with the minority may write, in collaboration with other

members in the minority, a minority report which shall be forwarded with the committee's recommendation. In the event of a tie vote, two (2) minority reports will be written and forwarded to the next level in the personnel process. After the college committee acts on a faculty member's dossier and forwards it to the next level, the college action cannot be rescinded, unless authorized in writing by the President.

3. Departmental representatives on the College Retention and Tenure Committee can neither participate in deliberations nor vote on recommendations for persons from their own department. At its discretion, however, the college committee may solicit documented information from the departmental chair, departmental representative or others from the department of the faculty member under review. The presiding officer shall inform, in writing, the faculty member under review of the college committee's recommendation on a timetable consistent with the Calendar for Personnel Action.
4. The college dean shall compose an evaluation of and recommendation for the faculty member under review and forward it with the committee evaluation. The college dean shall inform, in writing, the faculty member under review of the decanal recommendation.

After the college dean makes a recommendation regarding the faculty member under review and forwards it to the next level, the college dean's action cannot be rescinded, unless authorized in writing by the President.

5. A faculty member shall have the right to appeal the college recommendation in writing to the Vice President for Academic Affairs (see Section VI.D.).

C. Non-Renewal and Deferrals.

1. Notice of non-renewal shall be effective upon personal delivery of the notice to the faculty member, or upon the date the notice is mailed, postage prepaid registered mail, to the faculty member's current home address of record.

Dates for notice of non-renewal are in no way affected by any credit for prior service which may be awarded in accordance with Section III.C.11. of this policy.

2. When a faculty member on a tenure-track appointment completes the sixth year of the probationary period, the faculty member will either be recommended for tenure by the President, or will be given notice of non-renewal of the appointment effective after the seventh year of service. Such notice of non-renewal should be given not later than May 1 of the sixth academic year.
3. No faculty member shall be entitled to or acquire a tenure appointment

without a recommendation for tenure by the President and an affirmative award of tenure by the Tennessee Board of Regents. No other person shall have authority to award tenure to any faculty member. Failure to give timely notice of non-renewal of a contract shall not result in the acquisition of a tenure appointment, but shall result in the right of the faculty member to another year of service at the institution.

4. A notice of tenure denial or action deferral during the fifth year of the probationary period does not preclude the faculty member's right to apply for tenure during the sixth year. Such an application does not extend the probationary period beyond six (6) years.
5. Faculty members on tenure-track appointments shall not be terminated during the annual specified term of the appointment except for reasons which would be sufficient for the termination of tenured faculty.
6. The non-renewal or non-reappointment of any faculty member on a tenure-track appointment does not necessarily carry an implication of unsatisfactory work or conduct. A faculty member whose tenure-track appointment is not renewed shall be given a written statement of the reason(s) for the non-renewal by the President or his/her designated representative(s).
7. When tenure-track appointments of faculty members shall not be renewed for further service, the faculty member shall receive notice of non-retention not later than March 15 of the first academic year of service; not later than December 15 of the second academic year of service and at least one (1) academic year before the expiration of the appointment after two (2) or more years of service at the University.
8. The institution shall provide the opportunity for the non-renewed faculty member to discuss his/her case through informal procedures.

D. Appeals. This appeals process is available concerning negative decisions on retention, tenure, promotion, and merit or equity salary adjustment requests, except that merit or equity salary adjustments do not involve department or college committee action. All formal evaluations at all levels of the retention, tenure, promotions and related appeal processes, shall be available to the formal University committees, the appropriate individuals at each level of the process, and to the candidate.

1. When both department-level recommendations are negative, the faculty member may submit to the college dean an appeal which will bring the matter before the college committee and the college dean for consideration and recommendations. Should one (1) department-level recommendation be affirmative, that will bring the dossier forward for consideration and action at the college level.

2. When both college-level recommendations are negative, an appeal may be made to the Vice President for Academic Affairs for further consideration. One (1) affirmative college-level recommendation will bring the dossier forward for consideration by the Vice President for Academic Affairs.
3. In the event of a negative recommendation by the Vice President for Academic Affairs, one (1) or both college-level recommendations having been affirmative, the faculty member may request that an appeal of that recommendation be heard by the University Tenure and Promotion Appeals Board (see Section 4. below). Such a request must be submitted in writing to the offices of the Vice President for Academic Affairs and the President within seven (7) days of receiving written notice of the Vice President's recommendation.
4. There shall be a University Tenure and Promotion Appeals Board composed of a member from each of the college promotion committees chosen by election of college faculties from among the college full professors, one (1) University member designated by the President, and one (1) University member designated by the Faculty Senate. The chairperson of the committee shall be a non-voting member, a college dean, appointed by the President.
5. The Board shall examine the written documents submitted to it by the President and may, at its discretion, seek additional information from the candidate, the Vice President for Academic Affairs and other individuals whom the Board believes may have relevant information germane to its deliberations.
6. The Board shall make its recommendation to the President in writing by the date established by the President. The recommendations of the Appeals Board are advisory, and the President may accept or reject the recommendations in formulating his/her decision.
7. A Calendar for Personnel Actions, which is prepared annually by the Vice President for Academic Affairs, shall include the dates by which each level of consideration should be accomplished, including appeal periods. Such a calendar shall be recognized as a tool for the orderly accomplishment of personnel processes described in this policy and shall conform to the final dates specified elsewhere in the policy (see Section VI.C.7).

VII. LOSS OF TENURE

- A. Expiration of Tenure. Tenure status shall expire upon retirement of the faculty member. Tenure shall also expire upon the event of a permanent physical or mental disability of a faculty member, as established by an appropriate medical authority, which does not allow him/her to perform assigned duties.

- B. Relinquishment of Tenure. A faculty member shall relinquish or waive the right to tenure upon resignation from the institution or upon willful failure to report for service on the designated date of the beginning of any academic term, which shall be deemed a resignation unless, in the opinion of the President, the faculty member has shown good cause for such failure. When a tenured faculty member is transferred or reclassified to another department or division by the institution, the faculty member shall retain tenure. Tenure shall not be relinquished during periods of approved leaves of absence or during periods of administrative service to the institution.
- C. Termination of Tenure for Reasons of Financial Exigency. A tenured faculty member may be terminated as a result of financial exigency at APSU subject to TBR declaration that such financial conditions exist. Personnel decisions (including those pertaining to tenured faculty) that result from a declaration of financial exigency at APSU will comply with TBR Policy on Financial Exigency (5:02:06:00).
- D. Termination of Tenure for Curricular Reasons.
1. The employment of a tenured faculty member may be terminated because a) a program is deleted from the curriculum or b) because of substantial and continued reduction of student enrollment in a field. Before declaring that curricular reasons exist, the President will ensure substantive participation by the Faculty Senate and the affected unit(s) and appropriate administrative officers in identifying the specific curricular reasons in order to evaluate the long-term effects on the university's curriculum and its strategic planning goals, and the advisability of initiating further action. Prior to initiating the process below, the President will present to the faculty, either orally or in writing, a description of curricular reasons that may warrant the termination of tenured faculty member(s). Each reason must denote shifts in staffing needs that warrant greater reductions than those which are accommodated annually in light of shifting positions from one (1) department to another or among colleges to handle changing enrollment patterns.
 2. Upon determining that termination of one (1) or more tenured faculty members is warranted for curricular reasons, the President shall base a decision about which faculty member(s) should be terminated upon an assessment as to what action would least seriously compromise the educational programs in a department or division. Termination for curricular reasons presumes a staffing pattern in a department or division which cannot be warranted either by comparison with faculty loads in comparable departments or divisions at similar institutions. In that light, the President shall also, in his/her discretion, base a decision on a careful assessment of the impact of the curricular reason on staffing requirements in the division or department as compared to overall patterns in the institution and to comparable departments or divisions in institutions similar to APSU.

3. Unless the President demonstrates (preferably by means of past performance evaluations) that an exception should be made to protect the quality of an educational program, or principles of affirmative action, the following considerations should guide the order of faculty reductions in a department or division where termination of tenured faculty is proposed for curricular reasons:
 - (a) Part-time faculty within a department or division should not be hired or renewed before tenured faculty are terminated.
 - (b) Temporary faculty should not be renewed before tenured faculty are terminated.
 - (c) Tenure-track faculty in the probationary period should not be renewed before tenured faculty are terminated.
 - (d) Among tenured faculty those with higher rank should have priority over those with lower rank.
 - (e) Among tenured faculty with comparable rank, those with appropriate higher academic degree(s) should have priority over those with lower degrees.
 - (f) Among tenured faculty with comparable rank and degrees, those with greater seniority in rank should normally have priority over those with less seniority.
4. The President, upon determining that curricular reasons may warrant the termination of tenured positions, shall inform the Executive Committee of the Faculty Senate. At the earliest possible date after notification, upon agreement by the President and the Executive Committee of the Faculty Senate, the President or his/her designee shall appear before the Senate for the purpose of presenting all relevant information. Senators and affected unit members shall have an opportunity to pose questions and seek further information. The Faculty Senate shall respond in writing within thirty (30) days of this meeting.
5. Upon determining that termination of one (1) or more tenured faculty members is required for one (1) or more of the two (2) reasons cited above, the President shall furnish each faculty member to be terminated a written statement of the reasons for the termination. Those reasons shall address fully the curricular circumstances that warranted the termination and shall indicate the manner and the information upon which the decision to terminate was reached. The President's written statement shall also indicate that the faculty member has the opportunity to state in writing any objections to the decision.

6. If the faculty member(s) to be terminated indicates objections to the President's written statement(s) and request(s) a review, the President will appoint a faculty committee consisting of a minimum of five (5) tenured faculty members from a slate of ten (10) tenured faculty members proposed by the Faculty Senate. That committee shall conduct a hearing on the proposed termination(s). The committee shall report its findings and recommendations to the President, who shall, in a reasonable time, inform in writing the faculty member(s) proposed for termination either that the decision for termination stands or that it has been altered.
7. The President's decision to terminate a tenured faculty member for curricular reasons is subject to appeal to the Chancellor and TBR as provided in the policy on appeals to TBR (TBR Policy 1:02:11:00).
8. When a tenured faculty member is terminated for curricular reasons, the position will not be filled by a new appointee with the same areas of specialization as the terminated faculty member within a period of three (3) years unless the terminated faculty member has been offered, in writing, reappointment to the position at his/her previous rank and salary (with the addition of an appropriate increase which, in the opinion of the President, would constitute the raise that would have been awarded during the period that he/she was not employed).
9. Definitions.
 - (a) "Program is deleted from the curriculum" means that TBR approves formal action of the University to terminate a degree major, minor or option. a)"Program is deleted from the curriculum" means that TBR approves formal action of the University to terminate a degree major, minor or option. Such termination normally eliminates or reduces need for faculty qualified in that discipline or area of specialization.
 - (b) "Substantive and continued reduction of student enrollment in a field" means that over a period of at least three (3) years student enrollment in a field has decreased at a rate in considerable excess of that of the institution as a whole and that such reduction has resulted in faculty-student ratios that, in the opinion of the President, cannot be warranted either by comparison with equivalent faculty load practices within the University or by comparisons with faculty loads in comparable departments or divisions at similar institutions which the President would deem to be appropriate for comparison.
10. When a tenured faculty member is to be terminated for curricular reasons, the President will make every possible effort to relocate that faculty member in another existing vacant position for which he/she is qualified. In instances where, in the opinion of the President, relocation within the institution is a

viable alternative, the institution has an obligation to make significant effort to relocate the faculty member, including the bearing of reasonable retraining costs. The final decision on relocation is by discretion of the President.

11. When relocation within the institution is not possible and the faculty member involved desires to go elsewhere, the University will make every reasonable effort to assist in said relocation.

E. Transfer of Tenure. If a faculty member holds academic tenure and possesses such expertise and credentials that the faculty member could serve effectively in another unit, either he/she or the University may request such transfer. Such transfer requires compliance with Section III.C. and, if approved, is with tenure.

F. Termination for Adequate Cause.

1. A faculty member with tenure or a faculty member on a tenure-track appointment may be terminated prior to the end of the term appointment for adequate cause, as defined herein:
 - (a) Incompetence or dishonesty in teaching or research. Evidence of incompetence or dishonesty in teaching might include habitual reading of assigned texts aloud in class without commentary, palpable ignorance of the current state of the relevant area of scholarship, or unwillingness or inability to discuss the major themes or problems of that area of scholarship with other informed faculty members of this or other institutions. Evidence of such incompetence or dishonesty in research might include the appropriation of the ideas, writings, or works of others and passing them off as one's own, or the deliberate falsification or manufacture of evidence or data in published or presented work.
 - (b) Willful failure to perform the duties and responsibilities for which the faculty member was employed, or refusal or continued failure to comply with the policies of the Board and/or the institution, or to carry out specific assignments, when such policies or assignments are reasonable and non-discriminatory.
 - (c) Conviction of a felony or a crime involving moral turpitude.
 - (d) Improper use of narcotics or intoxicants which substantially impairs the faculty member's fulfillment of his or her departmental and institutional duties and responsibilities.
 - (e) Capricious disregard of accepted standards of professional conduct. The essence of those standards combines commitment to open, free debate on academic, educational, and administrative issues with

respect for the inherent human dignity of students and colleagues. Evidence of contempt for such standards might include a pattern of verbal or physical abuse of students or colleagues on sexual, racial, or ideological grounds, blatant sycophancy, or frequent use of authority to suppress discussion of academic, pedagogical, or administrative questions.

- (f) Falsification of information concerning one's qualifications on any application for employment, tenure, promotion, or any merit, equity or market salary adjustment.
- (g) Failure to maintain the level of professional excellence and performance demonstrated by other members of the faculty in the department or division of the institution.

2. Procedures for Termination for Adequate Cause.

Termination of a faculty member with a tenure appointment, or with a tenure-track or temporary appointment prior to the end of the annual specified term of the appointment, shall be subject to the following procedures:

- (a) Any member of the APSU faculty or administration may initiate an investigation into the competence or fitness of any other member of the faculty or administration by submitting in writing charges supported by evidence to the Vice President for Academic Affairs. Submissions which are unsigned or unaccompanied by prima facie evidence will be ignored.
- (b) The proposed termination will be preceded by discussion between the faculty member and the President in an attempt to reach a mutually agreeable settlement. In the event that such a settlement cannot be achieved, the President shall appoint an informal inquiry committee consisting of five (5) tenured faculty members. Although not mandatory, every attempt shall be made to appoint committee members acceptable to the faculty member concerned.
- (c) This committee shall attempt to arrange a mutually agreeable settlement between the various parties. Failing in this, the committee shall render an opinion to the President concerning the desirability of initiating formal dismissal proceedings. This opinion shall not be binding upon the President.
- (d) A dismissal will be preceded by a written statement of reasons, and the faculty member concerned will have the right to be heard by a hearing committee consisting of members of the faculty and administration

(and not including any member of the faculty committee referred to in the preceding paragraph). This hearing committee shall consist of seven (7) members agreed upon by the President of the University and the Faculty Senate. The President of the University shall appoint one (1) of the seven (7) to chair the committee. The committee shall, at its first meeting, determine its own rules and procedures not otherwise specified in this document.

- (e) The faculty member and the President have the right to peremptorily challenge the appointment of hearing committee members. In the event of such challenges, replacement members will be chosen in the manner specified in the preceding paragraph.
- (f) Pending a final recommendation by the hearing committee, the faculty member will be suspended or assigned to other duties in lieu of suspension only if immediate harm to himself or herself or others is threatened by continuance. Before suspending a faculty member, pending an ultimate determination of his/her status through the institution's hearing procedures, the administration will consult with the faculty committee referred to in Section VII.F.2.b concerning the propriety, the length, and the other conditions of the suspension. Suspension is appropriate only pending a hearing. Salary will continue during this suspension.
- (g) The hearing committee may, with the consent of the parties concerned, hold joint pre-hearing meetings with the parties to define and clarify the issues, effect stipulations of facts, provide for the exchange of information, and achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious. A written memorandum of the pre-hearing conference should be prepared and provided to each party.
- (h) Service of notice of hearing, with a statement of the time and place of the hearing and with specific charges in writing, will be made at least twenty (20) calendar 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 either denies the charges or asserts that the charges do not support a finding of adequate cause, the hearing committee will evaluate all available evidence and base its recommendation upon the evidence in the record.
- (i) During the proceedings the faculty member will be permitted to have an academic advisor and counsel of his or her own choice.

- (j) A verbatim record of the hearing or hearings will be taken and, at the faculty member's request, a transcript will be made available without cost to the faculty member.
- (k) The burden of proof that adequate cause exists rests with the institution and shall be satisfied only by clear and convincing evidence in the record.
- (l) The faculty member will be afforded an opportunity to obtain necessary witnesses and evidence. The administration will cooperate with the hearing committee in securing witnesses and making available evidence.
- (m) 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 formal questions.

An affidavit may be submitted in lieu of the personal appearance of a witness if a copy has been provided to all parties at least ten (10) days prior to the hearing and the opposing party has not objected to the admission of the affidavit in writing within seven (7) days after delivery of the affidavit or if the committee chairperson determines that the admission of the affidavit is necessary to insure a just and fair decision.

- (n) In the hearing of charges of incompetence, the testimony shall include that of qualified faculty members from APSU or other institutions of higher education.
- (o) The hearing committee will not be bound by strict rules of legal evidence and may admit any evidence of value. Every possible effort will be made to obtain the most reliable evidence.
- (p) The findings of fact and the decision will be based solely on the hearing record.
- (q) Except for such simple announcements as may be required concerning the time of the hearing and similar matters, public statements and publicity about the case by the faculty member, members of the hearing committee, or administrative officers will be avoided until the proceedings have been completed, including consideration by TBR. The President and the faculty member will be notified of the decision in writing and will be given copies of the record of the hearing.

- (r) If the hearing committee reports to the President that adequate cause for dismissal has not been established by the evidence in the record, the President may reject the report with a written statement of reasons. The hearing committee may recommend to the President, with supporting reasons, that an academic penalty other than dismissal would be more appropriate. If the hearing committee concludes that adequate cause for dismissal has been established by the evidence in the record, the faculty member may appeal that decision to the President within ten (10) days. Any decision by the President may be appealed to TBR within twenty (20) calendar days of the decision.

If dismissal or other severe sanction is recommended, the President will, on request of the faculty member, transmit to the Chancellor the record of the case. The review of the record by TBR or its designee will be based on the record of the committee hearing, and will provide for written argument by the principals or by their representatives. The decision of the President will either be sustained, or the proceeding returned to the President with specific objections. The President will then reconsider, taking into account the stated objections, and return the case to the hearing committee, if necessary. The TBR or its designee will make a final decision only after study of the President's reconsideration. If the President determines that adequate cause for dismissal, or other lesser sanctions, has not been established, the hearing record will be expunged.

VIII. MERIT SALARY

- A. Criteria for Merit Salary Increases. Evaluation for merit salary adjustments shall be made on the same criteria as evaluation for retention, tenure, and promotion. In order to be awarded a merit increase in salary, services to the University should be evaluated as having been outstanding, although not necessarily outstanding in all three areas of teaching, research, and service. Except under extraordinary circumstances, merit salary adjustments are not awarded in consecutive years to the same faculty member or in the first year of service on a full-time basis. Merit salary adjustments are separate from those associated with promotion in rank or those made on the basis of equity or market salary adjustment. The present salary of a faculty member shall not be a factor in the merit process.
- B. All faculty shall be reviewed annually by the department chairperson for merit salary increase, unless the faculty member requests in writing that such a review not be made.
- C. Department chairpersons will recommend faculty members they deem meritorious to their respective deans who shall, in turn, evaluate and recommend to the Vice President for Academic Affairs according to the Calendar for Personnel Actions (see

Section VI.D.8.). The chairpersons and deans will then report their recommendations and rankings, together with a rationale, to the department and college in a timely fashion. Final decisions rest with the President, in consultation with the Vice President for Academic Affairs, and are subject to budgetary constraints. The Vice President for Academic Affairs will inform the University community of the awards through a widely distributed campus medium. The Vice President for Academic Affairs will notify those members of the faculty who have not been recommended.

- D. Faculty members denied merit pay have the right to appeal to the Vice President for Academic Affairs and to the University Tenure and Promotions Appeals Board (see Section VI.D.4.)

IX. EQUITY SALARY ADJUSTMENTS

Adjustments in salary shall be made to rectify documented inequities based on improper discrimination including sex, race, age or market considerations. The departmental chairperson or the individual faculty member may initiate the process and provide documentation for equity salary adjustment (see Section IX.A.). Equity increases may not be considered or used to address disparity created by awards of merit. The equity process shall include an annual institutional review of faculty conducted by the Office of Institutional Research to identify inequities.

Adjustments in salary shall be made to rectify documented inequities. The chain of recommendation shall follow the pattern from chair to dean to Vice President for Academic Affairs to President. However, a faculty member may also initiate this process.

- A. The faculty member may request from the chairperson an evaluation and adjustment in his/her salary level due to an existing inequity.
- B. Upon evaluation, if the departmental chairperson deems such a request valid, he/she shall make a proposal for salary adjustment to the dean or director. The chairperson shall inform the faculty member in writing of the proposal.
- C. Following examination of the proposal, the dean shall make a recommendation to the Vice President for Academic Affairs and shall inform the faculty member in writing of the decision.
- D. Upon examination of the previous recommendations, the Vice President for Academic Affairs shall make a recommendation to the President concerning the faculty member's request. The Vice President shall inform the faculty member in writing of the decision.
- E. The President shall consider all previous recommendations and make the final decision.
- F. The faculty member shall have the right to appeal in writing, conforming to the announced calendar at each stage of the process as provided for in Section VI.D.

G. The calendar shall be the same as for merit pay actions (see Section VI.D.).

X. PROMOTIONS

A. Qualifications for Particular Ranks.

1. Promotion to Assistant Professor. Promotion from Instructor to Assistant Professor requires that a candidate meet the criteria for initial appointment as an Assistant Professor and present evidence of positive teaching effectiveness (See Section III.A.2.).
2. Promotion to Associate Professor. To be promoted to Associate Professor, in addition to evidence of positive "Effectiveness in Academic Assignment," a candidate must present some evidence of "Scholarly and Creative Achievement" and "Professional Contributions and Activities." Associate Professor is a respected academic rank that may serve as the terminal rank for a number of faculty members (See Section III.A.3.). At least three (3) years of teaching or equated experience after receiving the appropriate terminal degree shall be required.
3. Promotion to Professor. To be promoted to Professor, in addition to evidence of increasing "Effectiveness in Academic Assignment," a candidate must present evidence of substantial "Scholarly and Creative Achievement" and "Professional Contributions and Activities" (See Section III.A.4.). At least five (5) years of service at the rank of Associate Professor shall be the normal expectation for promotion to Full Professor.

- B. A faculty member (below rank of Professor) shall receive a promotion review at all levels of the University at least once every five (5) years unless such review is contrary to the wishes of the faculty member.

Procedures for promotions will be the same as for retention and tenure with the following exceptions:

1. Persons to be Considered for Promotion. Every eligible faculty member shall be reviewed by the appropriate departmental promotions committee, unless the faculty member requests not to be reviewed.
2. Committee Membership. No faculty member shall vote on or participate in promotion deliberations relative to colleagues seeking promotion to higher rank than those voting at the departmental level. At the college level, only tenured full Professors may serve on the college promotions committee.
3. Recommendations. Recommendations shall be as follows: 1) Not Recommended at This Time; 2) Recommended; 3) Forwarded on a Tie Vote. Only those recommended or forwarded on a tie vote should be

forwarded for college consideration. Only those recommended by the college or the dean should be sent to the Vice President for Academic Affairs.

4. Appeals. Faculty members may appeal a negative promotion recommendation as provided for in Section VI.D., above.

XI. EVALUATION OF MATERIALS

All those who participate in personnel processes are expected to evaluate all materials in the faculty member's dossier. Those preparing written reports must state reasons for their decisions.

XII. GENERAL ORGANIZATION AND PROCEDURES FOR ALL PERSONNEL COMMITTEES

- A. The department chair and all full-time tenured faculty members of a department constitute the official body eligible to make personnel recommendations (with the exception noted Recruitment and Promotions). However, the tenured faculty members of a department may delegate their responsibilities to a committee of tenured faculty and may decide whether they wish to establish separate committees for retention/tenure and promotion recommendations or to give one (1) or more committees the responsibility for personnel decisions.
- B. Departmental personnel committees shall consist of at least three (3) tenured faculty members not counting the department chair. In departments having fewer than three (3) faculty members eligible to serve on their personnel committee, appropriate departments will be combined by the Vice President for Academic Affairs. At its discretion, however, this committee may solicit information from the department chair or others from the department of the faculty member under review.
- C. Members of the committees shall be elected by procedures developed by each department or college. Administrators holding full-time positions outside the department or involved in making personnel recommendations at the college or university levels shall not participate in departmental personnel actions. Departmental chair-persons may not act on their own retention, tenure, merit salary adjustment, or promotion.
- D. At any level, a tie vote shall carry the recommendation forward.
- E. Any department, division, or unit (e.g., library, Developmental Studies Program, Ft. Campbell Center) that does not fit within the evaluative framework presented above will have its process designated by the Vice President for Academic Affairs, but must be consistent with the spirit of the above described process.
- F. All personnel materials, proceedings, and recommendations are confidential, except that positive final decisions may be announced.