

**AUSTIN PEAY STATE UNIVERSITY
POLICIES AND PROCEDURES MANUAL**

Policy Number: 5:060	Supersedes Policy Number: 5:060
Date: August 5, 2011	Dated: August 9, 2010
Subject: Policy on Academic Tenure	Mandatory Review Date: August 5, 2016
Initiating Authority: Provost	TBR Policy/Guideline Reference: 5:02:03:60
Approved: TBR policy provides a minimum standard for faculty credentials pertaining to faculty retention, promotion, and tenure. TBR policy also permits member institutions to establish criteria for faculty retention, promotion, and tenure that exceed the TBR minimum standards. In the event of conflict(s) between TBR and university due process standards, TBR policy shall control.	
President: Signature on File	

I. INTRODUCTION

The following policy of Austin Peay State University (APSU) on tenure is applicable to all tenure-track faculty within the University. This policy on tenure complies with the Tennessee Board of Regents (TBR) Policy on Academic Tenure (5:02:03:60). Likewise, this policy embodies and communicates clearly all provisions, definitions, and stipulations of TBR policy.

The quality of the faculty of any University is maintained primarily through support of a wide variety of professional development. It is monitored through the appraisal, by competent faculty and administrative officers, of each candidate for tenure. Tenure at a Tennessee Board of Regents University provides certain full-time faculty with the assurance of continued employment during the academic year until retirement or dismissal for adequate cause, financial exigency, or curricular reasons, as further discussed herein.

II. DEFINITIONS

The following are general definitions of words and terms used in this policy which are not hereinafter specifically defined; however, the words and terms are subject to further qualification and definition in the subsequent sections of this policy.

A. Academic Tenure

A personnel status in an academic department or academic program unit pursuant to which the academic or fiscal year appointments of full-time faculty who have been awarded tenure are continued at a University until the expiration or relinquishment of that status, subject to termination for adequate cause, for financial exigency, or for curricular reasons.

B. 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 specified term of the appointment may be dismissed or terminated. The specific grounds which constitute adequate cause are set forth in Section V.H (Termination for Adequate Cause) herein.

C. Financial Exigency

The formal declaration by the TBR that one of its universities 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.

D. Faculty Member

A full-time employee who holds academic rank as instructor, assistant professor, associate professor, or professor.

E. Probationary Employment

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 evaluated by the University for the purpose of determining his/her satisfaction of the criteria for a recommendation for tenure. Probationary employment provides an opportunity for the individual to assess his/her own commitment to the University and for the University to determine whether the individual meets its perception of quality and/or projected need.

1. Faculty Appointments

See APSU Policy No. 5:062.

III. Consideration for Tenure

A. Tenure Appointments

The awarding of tenure is 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 academic program unit and the University. Tenure is awarded only to those members of the faculty who have exhibited professional excellence and outstanding abilities sufficient to demonstrate that their future services and performances justify the degree of permanence afforded by academic tenure. The TBR does not award tenure in non-faculty positions. Tenure appointments reside in the departments and academic program units and are assurances of continued employment during the academic year subject to expiration, relinquishment, or terminations of tenure as set out in Sections IV (Criteria to Be Considered in Tenure Recommendations) and V (Changes in Tenure/Tenure-Track Status). Recommendations for or against tenure should originate from the department or academic program unit in which the faculty member is

assigned and should include appropriate participation in the recommendation by tenured faculty in the department or academic program unit as specified in Policy.

Tenure is awarded only by positive action of the TBR, pursuant to the requirements and procedures of this policy at APSU. No faculty member shall acquire or be entitled to any interest in a tenure appointment at a University without a recommendation for tenure by the President of the University and an affirmative award of tenure by the Board of Regents. No other person shall have any authority to make any representation concerning tenure to any faculty member, and 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 University, provided that no tenure appeals remain outstanding due to lack of cooperation and/or appropriate action on the part of the candidate in completing the appeal 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/her 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 Provost. Copies of all personnel actions made at every level shall be sent to the faculty member, departmental chair/director and Dean on a timetable consistent with the Calendar for Faculty Personnel Actions.

***(APSU Editorial Note:** Some academic units of the University have directors instead of chairpersons. If the job description of the director of an academic unit includes duties and responsibilities typically assigned to the chairperson of a department, then the director shall be seen as the equivalent of a chairperson and shall participate in all personnel processes including retention, tenure, and promotion. Likewise, the executive director of the Austin Peay Center at Fort Campbell shall be seen as the equivalent of a Dean.)

B. Tenure Process

1. Departmental Recommendations

- a. The departmental chair/director 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. Faculty members under review for retention, tenure, and promotion are responsible for submitting well-organized, up-to-date, and accurate e-dossiers. This responsibility shall end upon final submission of the e-dossier by the faculty member for the year under review. Faculty members are encouraged to work closely with their directors/chairs, assigned mentors, and/or other senior faculty within and outside of their department (as necessary) to make sure that the e-dossier complies with content and order requirements as noted below. Faculty members should consider the preparation of e-dossiers as a year-round process, gathering and maintaining materials accordingly.

- b. Included in the e-dossier shall be a description and a curriculum vita of the candidate's scholarly and professional achievements. The chair may appoint faculty to advise other faculty members in the development of their dossiers. Their advice should be reported to both the chair and the faculty member.

Note: Faculty members must submit an updated e-dossier for the current year's review. Activities in all the three areas of review must be updated. Faculty members who do not submit an updated e-dossier for evaluation by the appropriate retention/tenure committee during the current review cycle shall, by the act, be considered in breach of contract, and their employment shall terminate as of the end of the academic year in which they do not submit their e-dossier. Any exceptions to this requirement must have the written approval of the President.

c. Preparing the E-Dossier (overview)

NOTE: All faculty seeking retention, tenure, or promotion must complete an electronic dossier. Faculty preparing e-dossiers for the first time must consult the Office of Extended and Distance Education for an e-dossier shell and training. Faculty who wish to apply for promotion should inform their chair/director of their intent in the semester prior to the one in which they will apply for promotion. The deadline cut-off date to inform the chair/director shall be October 1 or the next business day (if October 1 falls on a weekend).

Faculty preparing e-dossiers should allow plenty of time to prepare an e-dossier, especially if they are preparing an e-dossier for the first time. All supplemental materials shall be a part of the e-dossier.

Faculty members must consult closely with their department chair/director as well as with experienced senior members in the department for guidance in preparing an accurate, well-organized, and up-to-date e-dossier.

New faculty as well as experienced and more senior faculty (those applying for promotion to professor, for example) are strongly encouraged to attend training sessions conducted by the Office of Extended and Distance Education in order to prepare the electronic version of documents (PDF file) correctly. This training will include scanning documents for conversion to PDF and conversion of electronic files to PDF. Faculty also shall use the A-Z index on the main page of APSU, selecting "E-Dossiers." This section contains valuable resources to help you create an effective e-dossier. Click on http://www.apsu.edu/academic_affairs/edossier.aspx

All documents within the e-dossier shall be PDFs. Other important review materials added to the e-dossier, such as Chair's reports and college committee reports, shall also be PDFs and must not be scanned as JPG files. Limited exceptions for JPG or QuickTime media are acceptable within supplemental materials when related to the academic discipline.

Faculty members preparing e-dossiers shall follow the order of items as provided in the e-dossier template. Faculty should see ORGANIZATION OF MATERIALS IN THE E-DOSSIER [III.B.1.e] for general guidance in the order and arrangement of e-dossier materials.

A faculty member who has previously submitted a paper dossier and is now preparing an e-dossier should consult the Office of Extended and Distance Education and allow plenty of time to convert the materials in the paper dossier into the appropriate electronic formats required for the e-dossier.

d. Instructions for Preparing the E-Dossiers for Personnel Review Processes

General Overview

If you are being reviewed for retention, tenure, or promotion, you will need to prepare an e-dossier. All reviews will be conducted in accordance with the standards in effect at the time of the review. All actions are due by the close of business (4:30 p.m.) on the date specified in the Calendar for Faculty Personnel Actions. These actions include submissions of e-dossiers; notifications of retention, tenure, and promotion recommendations to candidates; and appeals of negative recommendations.

To ensure that materials are placed appropriately in the three areas of review and that credit for a certain activity is not duplicated, you must consult closely with your department chair/director as well as with experienced senior members in the department for guidance in preparing an accurate, well-organized, and up-to-date e-dossier. Any dossier considered to be incomplete during the departmental review stage, prior to the committee vote, or which does not comply with the content and order requirements of Section III.B.1.e, must be returned to the faculty member for timely revision and resubmission to the departmental committee prior to formal consideration by the departmental committee. An incomplete e-dossier is one that is declared by the departmental committee (before the vote takes place) as missing necessary materials or not complying with the content requirements of current policy.

The chair/director/coordinator shall have the authority to direct that an e-dossier be unlocked for a faculty member within that department/school, provided that the departmental committee meets and declares an e-dossier incomplete and affirms that no vote on the e-dossier has been taken. By declaring the e-dossier incomplete, the chair/director/coordinator attests that the departmental committee will convene again and vote before the due date specified in the Calendar for Faculty Personnel Actions.

During the retention process, except for first year faculty, your dossier should focus on describing teaching activities, scholarly accomplishments and service since the most recent personnel action. However, when you are in your tenure year, all of the activities in the three areas since you came to APSU will be examined as part of the personnel review.

e. Organization of Materials in the E-Dossier

Make your accomplishments clear by adding brief explanatory statements where needed because your dossier is likely to be examined by many faculty members who may not be completely familiar with your discipline. Do not assume, for instance, that colleagues will understand the value of being nominated for the Pushcart prize in fiction.

Faculty are not permitted to alter the appearance or ordering of the headings provided for their e-dossier. Your e-dossier should include the following items and must be arranged as described below in the e-dossier. Any menu items in the e-dossier added for informational purposes (those not stated below) should not be altered or removed.

1. Brief narrative statement of intent (30 words or less). Your statement of intent should be in the form of a letter. Use "Dear Reviewers" as your salutation. Include a date, sign your name (print name below signature), and add your current rank as well as departmental affiliation beneath your name. Indicate your intention clearly. You should prepare a new statement of intent when you are seeking more than one action in the same review cycle (e.g. retention and promotion, tenure and promotion). You should also include the year for which you are seeking retention (e.g. third year or fourth year etc.).

Example of text for statement of intent for retention:

"Please consider this e-dossier in support of my application for retention for a fifth year at Austin Peay State University."

Example of text for statement of intent for tenure:

"Please consider this e-dossier in support of my application for tenure at Austin Peay State University."

Example of text for statement of intent for promotion:

"Please consider this e-dossier in support of my application for promotion to Associate Professor at Austin Peay State University."

Faculty members seeking more than one action (e.g. retention and promotion, tenure and promotion) in a single calendar year must submit one e-dossier for each action sought; with sufficient prior notification to the Office of Extended and Distance Education, a copy of a completed e-dossier can be made to assist in this process.

2. All e-dossiers must include the Notice of Tenure-Track Appointment and Agreement of Employment, that is, your contract, which includes special conditions that govern your employment such as years of prior service toward tenure and your starting salary. You may cover up the salary figure before you scan this document to upload to your e-dossier.

Note: The Notice of Tenure-Track Appointment and Agreement of Employment is a legal document that, along with applicable TBR and University policies, governs the faculty member's employment and relationship with the University.

Interpretations of a faculty member's contract that contravene or deviate from what is explicitly stated (such as years toward tenure, requirements for promotion, and conditions governing employment etc.) are not permitted. For example, a departmental review committee cannot require a faculty member hired at the rank of Instructor to complete a doctoral degree or a terminal degree to attain tenure or be retained if the terms of the faculty member's contract do not specifically state that the faculty member is required to complete the aforementioned degree in order to be tenured or retained.

If any questions arise regarding a faculty member's contract, all interested parties shall consult with the University Attorney for clarification and with the Provost. While alterations of a contract are extremely rare, any proposed re-negotiations of the terms of a faculty member's contract must be part of a mutual decision between a faculty member and his/her department and must have the express written approval of the President.

3. Current Recommendations. Your e-dossier should contain reports from departmental and college committees, the Dean, the Provost, and the President. All appeals shall be included within the faculty member's Current Recommendations under the level of the decision being appealed. These current recommendations will include the following items:
 - (a) Department Committee's Retention and Tenure Recommendation Form or Promotion recommendation Form as appropriate as well as all reports, including any positive and negative minority reports
 - (b) Department Chairperson Faculty Performance Review Form
 - (c) Appeal (if any) of negative departmental and chair/director recommendations
 - (d) College Committee's Report and Dean's Retention and Tenure Recommendation Form/Promotion Recommendation Form as appropriate as well as all reports, including any positive and negative minority reports
 - (e) Appeal (if any) of negative college-level recommendations
 - (f) Provost's recommendation
 - (g) Appeal (if any) of Provost's recommendation to the University Tenure and Promotion Appeals Board.
 - (h) President's recommendation

4. An up-to-date vita. A vita is a continuing academic record of the faculty member's activities and accomplishments. At the very minimum, your vita should be well-organized, current, accurate, and aesthetically appealing. Follow reverse chronology, that is, list most recent achievements and/or activities first. Your vita should clearly indicate specific dates of activities in the three areas under review (e.g. "presented paper at College English Association meeting in March 2010") as well as clearly distinguish among stages of development of academic scholarship within Area II (e.g. a work in progress, article accepted, submitted to, under review, accepted by editors but needing publisher etc.). See Section IV.B for further information [Criteria to be Considered in Tenure Recommendations; Irregularities in Research, Scholarship, and/or Creative Activities].

Faculty members may follow different formats for a vita; however, do not organize your academic vita into Areas I, II, and III as the review committee will get this information from your narrative summaries. The standard parts of your vita should include the following: your current position at Austin Peay, your prior positions, education, and scholarly/creative and professional accomplishments.

5. A narrative summary of Areas I, II, and III. Provide a summary of Effectiveness in Academic Assignment, Scholarly and Creative Achievement, and Professional Contributions and Activities. This document should provide an overview of significant accomplishments in these areas. This narrative should be written using reverse chronology, that is, list most recent achievements and/or activities first. Your narrative may include bullet points but should include sentences and be no longer than two (2) pages.

If you are seeking retention, this summary shall be a narrative of the single year since your most recent personnel action. If you are seeking tenure, this summary shall be a consolidated narrative of your years at Austin Peay State University from the date of hire. If you have been awarded years of prior credit toward tenure, this summary shall be a consolidated narrative of only the time spent at Austin Peay State University.

If you are seeking promotion to Associate Professor, this summary shall be a consolidated narrative of your activities in your three areas since your last promotion at Austin Peay State University or your initial appointment at Austin Peay State University.

If you are seeking promotion to Professor, this summary shall be a consolidated narrative of your activities in the three areas since your last promotion. If it has been longer than five years since your last promotion at Austin Peay State University, please include within your consolidated narrative information pertaining to the most recent five years or since your last promotion (at the candidate's discretion).

If it has been longer than five years since your last promotion at Austin Peay, you also have the option to include student evaluations only from the most recent five (5) years in your promotion e-dossier.

6. Prior Administrative Reviews. These reviews must include copies of all previous years' APSU personnel recommendations by departmental and college committees, chairpersons/directors, Deans, the Provost and the President. Place the President's renewal notice first in this section followed by copies of all previous years' APSU personnel recommendations by the Provost, Dean, college committee, chair/director, and departmental committee. These reviews should be arranged in reverse chronological order, that is, from the most recent to the earliest review. Group these items by the calendar or academic year under review.
7. Narrative Description of Academic Assignment. Your narrative description should expand on the summary offered in No. 5. See Section IV for further information. [Criteria to be Considered in Tenure Recommendations]
8. Teaching Philosophy Statement. A summary of your teaching philosophy (limited to one or two pages in single-spaced text) should accompany this description. Place your teaching philosophy statement after the narrative description of your Academic Assignment. Your teaching philosophy may reflect changes from year to year.
9. Narrative Description of Scholarly and Creative Achievement, including evaluations by off-campus authorities in the relevant field. Your narrative description should expand on the summary offered in No. 5. See Section IV for further information [Criteria to be Considered in Tenure Recommendations].
10. Narrative Description of Professional Contributions and Activities, including evaluations by off-campus authorities in the relevant field; supporting materials should be provided in supplemental dossier. Your narrative description should expand on the summary offered in No. 5. See Section IV for further information [Criteria to be Considered in Tenure Recommendations].
11. Annual Peer Review of Teaching (if required by department-specific criteria). At a minimum, peer reviews should contain some narrative statements that comment on the teaching effectiveness of the candidate.
12. Student evaluations of instruction since coming to APSU. Do not include evaluations of study-abroad classes, APSU 1000 classes, or classes not routinely evaluated by the University (such as summer courses, independent studies, and individual instruction).

Evaluations that were conducted using Class Climate and that were e-mailed to you in PDF format shall be added in their entirety except for narrative comments, which must be removed. Faculty shall not extract any other sections of Class Climate evaluations. The number of students participating in a class evaluation shall have no bearing on the requirement to include evaluations of classes within your e-dossier.

Faculty with evaluations pre-dating Class Climate (such as the "Instructional Assessment Report") should include only the page (s) that has/have the "Course

Summary Section” header with student numbers including Average Response, Standard Deviation and Num Resp i.e. Number Responding.

Faculty teaching online APSU or RODP courses shall be required to submit their evaluations from online as well as face-to-face classes, even if student participation is minimal. Faculty members may provide a comment regarding any return rate that indicates low participation. The faculty member should remove written student comments and submit all numeric data only. Faculty being reviewed for promotion to Associate or Professor shall include all student evaluations of instruction only from the most recent five-year period or, if fewer than five, all evaluations.

Exclusion of Narrative Comments Written by Students

Note: Narrative comments written by students at the time of the regular faculty evaluation process should not be incorporated within your e-dossier. These comments, converted to typed documents, should be used only informally by you for assessment and/or improvement.

f. Organization of Supplemental Materials

Your supplemental materials should contain supporting materials related to the three areas under review: academic assignment; scholarly and creative achievement; and professional contributions and activities. Faculty are advised to examine Section IV. [Criteria to be Considered in Tenure Recommendations] for further information relative to these three areas.

The supplemental materials shall be organized by the three areas under review. See section “Organization of Materials in the E-Dossier.” The faculty member must consult closely with the chair/director and senior members of the department for specific guidance in the appropriate selection and placement of materials within the supplemental dossier.

Examples of supporting materials might include copies of published articles; copies of representative chapter(s) in a book publication or the book itself; (c) copies of published essay in an anthology; (d) photographs of a painting exhibit or sculpture etc. See Section IV for further information [Criteria to be Considered in Tenure Recommendations]. If you are unsure of what might be appropriate, consult closely with your chair/director as well as with experienced senior faculty members in your department.

Suggested Materials for Inclusion in Your Supplemental Materials

Area I: Copies of course syllabi; representative samples of lecture notes; PowerPoint presentations; sample of graded work and/or other appropriate teaching materials. See Section IV for further information.

Area II: Copies of articles in journals. If a book, include copies of relevant chapters and pages, e.g. title page (author name must be visible) and table of contents page. If you

have presented a paper at a conference, you should submit a copy of your paper and include the program schedule (highlight your name in the program schedule). See Section IV for further information.

If you are using online articles as evidence of scholarship, save the articles as PDF files and include the complete text of all articles within your supplemental materials. Because hyperlinks may become broken, you must preserve copies of your online articles that support your accomplishments in Area II.

It shall be the responsibility of a faculty member undergoing a retention, tenure, or promotion review to retain all materials (electronic or physical format) pertinent to the faculty member's activities in the area of research/scholarship/creative activities until such time as the faculty member has attained tenure achieved the rank of Professor. Such documents might include, among other things: (a) copies of all email exchanges between the faculty member and the editor/publisher of a scholarly journal; (b) written exchanges among multiple authors of a document; (c) written correspondence between co-authors; (d) documentation of the level of contribution by the faculty member in a multi-authored work; and (e) notes and suggestions for revisions from editors/reviewers.

Area III: Include evidence of your participation in the governing and policy-making processes of the University e.g. your appointment letter to a standing committee. Include information pertinent to your participation on departmental committee and leadership or advisory role in student organizations. Include evidence of your memberships and leadership positions in professional organizations at state, regional or national levels. Also include pertinent information to your service as session chair, discussant, paper reviewer, etc. See Section IV for further information.

Faculty shall retain back-ups of all files and materials entered by the faculty member into the e-dossier and used in the retention, tenure, and promotion process.

Note: Any e-dossier considered to be incomplete during the departmental review stage, prior to the committee vote, or which does not comply with the content and order requirements must be returned to the faculty member for timely revision and resubmission to the departmental committee prior to formal consideration by the departmental committee.

The chair/director/coordinator shall have the authority to direct that an e-dossier be unlocked for a faculty member within that department/school, provided that the departmental committee meets and declares an e-dossier incomplete and affirms that no vote on the e-dossier has been taken. By declaring the e-dossier incomplete, the chair/director/coordinator attests that the department committee will convene again before the date specified in the Calendar for Faculty Personnel Actions.

g. Departmental Criteria for Retention-Tenure Actions

Faculty under review shall adhere to the RTP criteria in place for the current review cycle. Departmental review committees, chairs, directors, college committees, and deans shall evaluate candidates based on approved departmental RTP criteria.

Departments shall review and may consider revisions to their Retention, Tenure, and Promotion (RTP) criteria every 5 years, starting from the 2009-2010 academic year. The new criteria shall become effective Fall 2011. Therefore, the next opportunity for departments to revise their criteria will occur in Fall 2015 for future implementation in academic year 2016-2017. Departments wishing to make any substantive changes within the five-year period must obtain written permission from the Provost and the President. The Provost shall establish the time table for the revision of departmental criteria.

General Procedures for Revision of RTP Criteria:

1. Departments are encouraged to review carefully the criteria that they presently have and use TBR Policies 5:02:03:60 and 5:02:02:20 (Academic Tenure and Promotion) to inform their discussions. Departments may meet or exceed TBR criteria for retention, tenure, and promotion, but the departmental criteria may not be weaker than those established by TBR.
2. Each department will establish a criteria review committee. The committee will include members from all tenure-track and tenured ranks within a department. The review committee will review the criteria, propose changes, and discuss the revised criteria with the department.
3. The review committee may incorporate suggested changes to the RTP criteria and forward the proposal in writing with brief rationales for those changes to the dean. The dean will review the proposed changes and make suggestions with brief rationales to the departmental criteria review committee.
4. The review committee shall reconvene and consider the dean's suggestions and may choose to modify the RTP criteria. Then, the review committee will prepare a final revision of the RTP criteria and present it to the department. All tenured and tenure-track faculty members of the department will vote on the proposed changes. In order for the proposal to move forward, a simple majority of the voting members must approve the proposed changes. If the vote fails, the review committee will reconvene and consider faculty members' suggestions and may choose to modify the RTP criteria to bring to the faculty members for a second vote. The chair will cast an independent vote. The approved proposal and vote tally shall be forwarded to the department's dean.
5. The department's proposed RTP criteria will be reviewed and voted on by the College Promotion Committee, chaired by the dean. The dean and college promotion committee will send to the Provost the department's proposed changes (including any college-level or decanal comments) and votes of the College Promotion Committee and of the dean. The dean will forward the results of Dean's vote and College Promotion Committee's votes to the department chair for dissemination to all faculty members within the department.
6. The Provost shall review each department's proposed RTP changes. The Provost may make suggestions in writing with brief rationales and send them back to the department chair, with a copy to the dean. The chair shall inform the department of the Provost's comments. The department review criteria committee will reconvene and consider the Provost's suggestions. The Provost may meet with the department to discuss revisions.

The review criteria committee will prepare its final proposed criteria and send them to the Provost.

7. After consultation with the dean, chair, and department criteria review committee, the Provost will approve final departmental criteria.
8. Changes to a department's RTP criteria will take effect the following academic year. Faculty members who believe that the newly adopted criteria will negatively affect future retention or tenure actions may appeal their case to the Provost.

h. Storage of E-Dossiers

Due to record-keeping requirements, official personnel records are to be kept a minimum of seventy-five years from an individual faculty member's last date of employment in a paper or imaged format. In addition, due to the timeframe in which an individual faculty member could file an EEOC complaint and/or lawsuit, a paper dossier of any faculty member must specifically stay in the department office for a minimum period of four (4) years from the point when the final personnel decision is made on the faculty member's status at the institutional level or at the TBR level. Likewise, an electronic dossier shall be stored on a server or some other media for a minimum period of four (4) years from the point when the final personnel decision is made on the faculty member's status at the institutional level or at the TBR level.

After the separation of a faculty member from university service and the expiration of the timeframe in which an EEOC complaint may be filed, an imaged copy may be kept in any format compliant with federal and state record-keeping requirements. All existing paper dossiers not converted to electronic format must be maintained until converted to imaged format after the separation of the faculty member from APSU employment.

A faculty member's existing paper dossier, if relevant is the property of APSU and shall continue to remain in the department until the faculty has achieved the full rank of tenured professor. In order to protect the security of a paper dossier, a faculty member may not remove his or her paper dossier from the departmental office without prior permission of the department chair/director. A faculty member's e-dossier that is prepared for personnel reviews is the property of APSU and shall be maintained on a server or other media according to TBR Guideline G-070. A faculty member's dossier and supplemental file shall be released to the faculty member when the faculty member requires these materials to prepare for an upcoming review. These materials shall be available up to twelve (12) weeks prior to submission deadline to the departmental committee as outlined in the Calendar for Faculty Personnel Actions.

When a faculty member has attained tenure and achieved the rank of Professor, a paper dossier may reside in the faculty member's office after meeting the required four-year residency in the department following the final personnel decision on the faculty member's status at the institutional level or at the TBR level.

Faculty members who retire or resign from the University may make copies of materials in their dossier; however, the dossier itself shall remain with the university. When a

faculty member is currently teaching on a post-retirement contract, a paper dossier of that faculty member may reside in the faculty member's office after meeting the required four-year residency in the departmental office.

According to TBR Guideline G-070 Disposal of Records, official personnel folders for each employee of the Tennessee Board of Regents or its institutions or schools centers shall be maintained in active files for current employees; upon separation from state government, the documents must be imaged or microfilmed. Paper records may be destroyed after verification of microfilm or imaged copy. After Microfilm or imaged copy has been retained for 75 years, it is permissible then to destroy. When a faculty member is no longer an employee of the University, the faculty member's dossier shall be submitted to the chair of the department in which the faculty member last served.

If a faculty member leaves the institution, the faculty member may make copies of documents submitted as part of his or her review process. The faculty member must consult with his or her department chair/director for guidance in this area. If the department chair/director leaves the institution, the department chair/director shall consult with the Dean of the college and/or the Provost for guidance.

i. Departmental Reviews

The Departmental Retention and Tenure Committee shall be convened by the departmental chair/director in a timely fashion (for schedule, see III.B.3.g [Consideration for Tenure, Tenure Process, Appeals, Calendar for Faculty Personnel Actions]). 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. The departmental committee's report for retention and tenure shall be prepared on the appropriate form on white paper using portrait format only. The departmental committee's report for promotion shall also be prepared on the appropriate form on white paper using portrait format only. While the Chair/Director may participate in the discussion, the presiding officer shall manage the meeting.

The presiding officer shall ensure that draft versions of reports are prepared in a timely manner and available for comment and review by committee members before the final version is prepared. The presiding officer shall ensure that reports contain all appropriate signatures and help coordinate the movement of reports to the department office in a manner consistent with the Calendar for Faculty Personnel Actions.

Years Toward Tenure: At retention, tenure and promotion meetings, department chairs shall remind personnel committees about the specific number of years granted to the faculty member under review.

Faculty members granted years of prior service will have that service applied immediately preceding the tenure year. Therefore, a faculty member granted one

year of prior service must seek tenure in the fifth year of service at APSU after signing the tenure-track contract and would be evaluated as first-year, second-year, third-year, fourth-year, and tenure year. A faculty member granted two years of prior service must seek tenure in the fourth year of service at APSU after signing the tenure-track contract and would be evaluated as first-year, second-year, third-year, and tenure year. A faculty member granted three years of prior service must seek tenure in the third year of service at APSU after signing the tenure-track contract and would be evaluated as first-year, second-year, and tenure year.

It is the professional responsibility of all faculty members serving on any personnel committee (retention, tenure, or promotion) to review fully a candidate's e-dossier before casting a vote.

Documents Not Ordinarily Part of Content and Order Requirements

Documents *not* ordinarily part of the content and order requirements as stipulated in 5:060 (III.B.1.e) or other standard review materials (Chair's report, Provost's report etc.) may be introduced at any personnel review meeting on the condition that such documents relate to the three areas under review. Faculty members on a review committee wishing to introduce documentation at the personnel meeting must inform the chair and supply the documents or copies thereof.

However, these documents must be signed and may not be introduced at the review meeting unless the faculty member under review has been previously informed by the chair that these documents may be introduced and discussed. These documents are not required to be signed by the faculty member under review; rather, the documents are to be signed by the individual (s) who has/have authored the document(s).

On the matter of the chair informing the faculty member, the chair of the department or members of the review committee must provide written evidence of such communication. An e-mail to the faculty member under review with a "request a delivery receipt" and "request a read receipt" option sent with the e-mail is recommended. All written communication between the faculty member and the chair or between the faculty members and members of the review committee must include a time and date stamp. A chair or members of a review committee who initiate these messages to the faculty member shall bring copies of such communications to the personnel meeting.

The faculty member shall have the right to see the documents or copies of such documents. If the faculty member is not informed about such documentation at least three (3) business days before the personnel meeting, such documentation may not be introduced at the meeting or discussed.

If any member of the committee or the chair wishes to introduce a document, that document will then be given to the presiding officer, who will then present the nature of the document to the committee. However, no document may be introduced until the faculty member under review (a) has seen the documents or copies of documents; (b) has

been informed in advance about such documentation as prescribed in the previous paragraph; and (c) is assured that these documents have not been altered in any way. If requested, the presiding officer will read the document aloud. The entire committee will then vote to determine the admissibility of this document within the committee's deliberations. A simple majority vote shall determine the outcome. A secret ballot process (similar to that used for conventional retention, tenure, and promotion actions) shall be used in order for the votes to remain anonymous. A tie vote is not a majority vote, and the document shall not be discussed. The chair shall not be permitted to break a tie vote.

If the committee has voted to admit these documents, the reports of the review committee shall reference these documents and include clear narrative statements that (a) are specific and (b) demonstrate the importance of this document (s) to reviewers. All positive or negative reports may include attachments as needed. The presiding officer shall arrange for the document itself to be included in the e-dossier of the faculty member under review. If a chair is under review and is the subject of the document, the Dean of that college shall fulfill the role normally assigned to the chair.

However, written narrative comments by students that were completed as part of the normal faculty evaluation process are not to be shared with committee members during personnel meetings and are not to be used in any way as part of the personnel process.

General Voting Guidelines

As the time for voting approaches, the chair/director 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. In order to preserve the integrity of the secret ballot process, standardized ballots and identical writing instruments shall be provided to the committee. Faculty who are unable to attend personnel meetings and plan to vote on two separate actions on a candidate (tenure and promotion or retention and promotion) are required to submit separate votes for each action: one vote for tenure, and a separate vote for promotion. Because retention/tenure committees and promotion committees are discrete units, the process to separate such votes must be preserved.

A member of the committee voting with the majority shall be selected to write the evaluation of the faculty member for the committee. The RTP recommendation forms should, at a minimum, contain sufficient information for review committees at all levels to make a reasonably sound assessment of the candidate's strengths and weaknesses. The language for each section under review on RTP forms shall include more than a single line of text. For example, a sentence such as "Faculty Jane Doe is performing satisfactorily in Area 1" with no other accompanying information is not permitted as an assessment statement for Area 1. Negative pieces of information shall be supported by some sense of the reasons for their inclusion in the report. If the faculty member is known to be an ineffective advisor, a few additional sentences explaining this position will be helpful. A member of the committee voting with the minority may write, in collaboration with other members in

the minority, a minority report, which must be included in the faculty member's e-dossier along with the committee's recommendation.

Check the box next to "Absent" on RTP forms only for noting a count of faculty members who did not vote at all for the candidate. An "abstain" vote is a real vote and shall be counted. Personnel committees must count the official vote (*for*, *against*, or *abstain*) of a faculty member on a candidate even if the faculty member who voted cannot attend a personnel meeting and submitted his/her vote through a colleague or through other means of submission.

It shall be acceptable for faculty members to change their position on a candidate and present a substitute vote, replacing an original vote that has previously been submitted, so long as the official final vote is presented to the committee before the presiding officer counts and records the official votes at the meeting. 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.

All faculty members who voted on a candidate for retention, tenure, or promotion shall be required to sign all reports, including any positive and negative minority reports. Faculty members shall sign these reports in a timely manner consistent with the deadlines on the Calendar for Faculty Personnel Actions. Signing these reports simply indicates that the faculty members have read the reports; signing does not necessarily indicate agreement or disagreement with the contents of these reports. Faculty members shall also print their name below their signatures.

In the event of a tie vote, two (2) minority reports will be written and must be included in the faculty member's e-dossier before it is forwarded to the next level in the personnel process. If two minority reports are required, those reports must contain distinct comments; one may not be a copy of the other. When two minority reports are needed, two individuals—one voting for and one voting against—must come forward to write the required minority reports. Majority and minority reports that are written following a departmental review must contain only information discussed at the meeting.

If an exact split vote occurs at the departmental level (for example, 3 votes to retain, 3 votes not to retain a candidate), the split vote shall be seen as a negative action for retention, tenure, and promotion purposes. An exact split vote at the departmental level accompanied by a negative vote from the chair would permit a faculty member to file an appeal. Votes that are either clearly *for* or *against* a candidate have greater weight than *abstain* votes.

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.

Faculty members under review shall be required to sign the Retention and Tenure Recommendation Form as well as any other retention, tenure, and promotion recommendation forms. Faculty members under review shall also be required to sign all retention and tenure Minority Report forms. Signing these forms simply indicates that the

faculty member has read the review reports and/or forms. All department committee members who voted are required to sign all reports, including Minority Report forms. Committee members are required to print names clearly below their signatures on these reports. Faculty who did not actually attend a personnel meeting, but voted on the candidate, are still required to sign all reports, including Minority Report forms. Signing does not necessarily indicate agreement or disagreement with the contents of these reports and/or forms.

- j. The departmental chair/director shall write a separate evaluation of, and recommendation for, the faculty member under review (Chairperson's form, Faculty Performance Review). The department chair shall write an independent review after the departmental committee has made a recommendation. The Chair is not obligated to be guided by the departmental committees' reports or their votes.

If the faculty member refuses to sign the Chair's Faculty Performance Review Report or other retention, tenure, and promotion recommendation forms, it shall be the responsibility of the chair/director to prepare a clear statement indicating that the faculty member under review was given the opportunity to read the documents and that the faculty member subsequently refused to sign such documents. The chair/director shall include this statement in the form of (a) an attached "note" to the Chair's Faculty Performance Review Report below the signature line or (b) a note on a separate sheet of paper attached to forms other than the Chair's Faculty Performance Review Report.

The faculty member shall sign to indicate having read the recommendations of the departmental committee and the chair/director and shall have access to all materials forwarded to the college committee. If both departmental recommendations are negative, the candidate has a right to appeal the decision to the college Dean (see Section III.B.3 [Consideration for Tenure, Tenure Process, Appeals]).

When a faculty member being reviewed for retention or tenure gets denied by the department and the chair, the faculty member may appeal this decision, and the faculty member's e-dossier shall automatically move forward to the next level. Even when the faculty member chooses not to appeal the decision, the e-dossier shall move forward in retention and tenure decisions. However, when a faculty member being reviewed for promotion gets denied by the department and the chair, the faculty may choose not to appeal the two negative decisions. Under these circumstances, the e-dossier may then be withdrawn from further consideration until the faculty member chooses to apply for promotion at a later date, that is, the e-dossier shall not move forward. When the faculty member applies at a future date for promotion, the faculty member shall include an explanation for the missing administrative reviews from levels beyond the department. This explanation shall precede the "Prior Administrative Reviews" section of the faculty member's e-dossier.

Recommendations once forwarded from the department to the next level cannot be rescinded unless authorized in writing by the President.

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.

2. College Recommendations

Documents Not Ordinarily Part of Content and Order Requirements

Documents not ordinarily part of the content and order requirements as stipulated in 5:060 (III.B.1.e) or other standard review materials (Chair's report, Provost's report etc.) may be introduced at any personnel review meeting on the condition that such documents relate to the three areas under review. Faculty members on a college review committee wishing to introduce documentation at the personnel meeting must inform the chair of the candidate's department and supply the documents or copies thereof to the Dean. At the college level, documents not ordinarily part of content and order requirements should be items of high importance that are related to the three areas of review.

If it is determined by the college committee that the information about to be introduced is critical to the faculty member's three areas of review and that the outcome of the college committee's deliberation is likely to be predicated on the inclusion of such information, then it is incumbent upon the college committee to discuss the admissibility of such information and make the document a part of the e-dossier even though the faculty member's window of time to add something new to the e-dossier may have passed.

An example of such a document might be an e-mail or letter from a journal editor accepting an article for future publication. It could happen that the faculty member under review might be apprised of an article's acceptance for publication in the rare instance of the brief window of time between the completion of the departmental level vote and the date of the college committee meeting. If this acceptance notification is integral to the college committee's decision, it is the kind of document that meets the criteria of those "not ordinarily part of content and order requirements."

These documents must be signed and may not be introduced at the review meeting unless the faculty member under review has been previously informed by the chair that these documents may be introduced and discussed. These documents are not required to be signed by the faculty member under review; rather, the documents are to be signed by the individual (s) who has/have authored the document (s).

The faculty member shall have the right to see the documents or copies of such documents. If the faculty member is not informed about such documentation at least three (3) business days before the personnel meeting, such documentation may not be introduced at the meeting or discussed. The chair of the department or members of the review committee must provide written evidence of such communication. An e-mail to the faculty member under review with a "request a delivery receipt" and "request a read receipt" option sent with the e-mail is recommended. All written communication between the faculty member and the chair or between the faculty members and members of the

college review committee must include a time and date stamp. Members of a college review committee or a Dean who initiates these messages to the faculty member shall bring copies of such communications to the personnel meeting.

If any member of the college committee or the Dean of the college wishes to introduce such a document (the chair of the department already having been notified), that document will be given to the presiding officer who will then present the nature of the document to the committee. However, no document may be introduced until the faculty member under review (a) has seen the documents or copies of documents; (b) has been informed in advance about such documentation as prescribed in the previous paragraph above; and (c) is assured that these documents have not been altered in any way. If requested, the presiding officer will read the document aloud. The entire college committee will then vote to determine the admissibility of this document within the committee's deliberations. A simple majority vote shall determine the outcome. A secret ballot process (similar to that used for conventional retention, tenure, and promotion actions) shall be used in order for the votes to remain anonymous. A tie vote is not a majority vote, and the document shall not be discussed. The Dean shall not be permitted to break a tie vote.

Any e-dossier missing a Department Chairperson Faculty Performance Review Form (Chair's report) or a Departmental Committee's Retention and Tenure Recommendation or Promotion form must be rectified and resubmitted to the college committee prior to formal consideration by that committee; any college committee member may notify the Dean of e-dossiers missing these administrative reviews.

- a. A college retention and tenure committee shall be composed of one (1) tenured faculty member elected from each department or school within the college. All tenured and tenure-track faculty within the department or school, with the exception of the chair/director, shall have an opportunity to vote on departmental/school nominee(s) for the college committee, and a simple majority vote shall determine the outcome. If the vote is tied, the department/school chair/director shall cast the deciding vote. 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/school has an insufficient number of tenured faculty members 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. (Also see VII. E.)
- b. Each college, including the School of Technology and Public Management, shall have an additional tenured member elected at large by the electorate of the college. The at-large member shall be elected from among all eligible faculty members not serving as a departmental representative on the college committee. All tenured and tenure-track faculty in a college are eligible to vote for the at-large representative. If the vote is tied, the college dean shall cast the deciding vote. The at-large member of any college-level retention and tenure or promotion committee shall be a voting, full member of that committee, but the at-large member shall not vote for members of his or her own

departments. If a department/school has no tenured faculty, the committee as a whole will protect their interests. Chairpersons/directors may not serve on the college committee.

The College Retention and Tenure Committee shall be convened by the college Dean in a timely fashion. 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. While the Dean may participate in the discussion, the presiding officer shall manage the meeting. 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.

The presiding officer shall also ensure that draft versions of reports are prepared in a timely manner and available for comment and review by committee members before the final version is prepared. The presiding officer shall ensure that reports contain all appropriate signatures and help coordinate the movement of reports to the college office in a manner consistent with the Calendar for Faculty Personnel Actions.

Years Toward Tenure: At retention, tenure and promotion meetings, the departmental representative shall inform personnel committees about the specific number of years granted to the faculty member under review. The departmental representative shall continue to remind members of personnel committees about years toward tenure whenever faculty members in this situation come up for retention, tenure, or promotion. (Also see Credit for Prior Service within this policy)

Faculty members granted years of prior service will have that service applied immediately preceding the tenure year. Therefore, a faculty member granted one year of prior service must seek tenure in the fifth year of service at APSU after signing the tenure-track contract and would be evaluated as first-year, second-year, third-year, fourth-year, and tenure year. A faculty member granted two years of prior service must seek tenure in the fourth year of service at APSU after signing the tenure-track contract and would be evaluated as first-year, second-year, third-year, and tenure year. A faculty member granted three years of prior service must seek tenure in the third year of service at APSU after signing the tenure-track contract and would be evaluated as first-year, second-year, and tenure year.

The quorum of any departmental or college-level personnel committee is a simple majority of those faculty members eligible to vote. At any level of review, if a faculty member is unable to attend a personnel meeting, has to leave a meeting early, or is late in attending because of extenuating circumstances, the faculty member shall make every

effort to leave an absentee ballot (by voting *for*, *against* or *abstain*) in a sealed envelope entrusted to a colleague, which shall subsequently be handed over to the presiding officer of the personnel review committee. As stated in Policy 5:063 [Academic Freedom and Responsibility], "the right to 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. The faculty member has an obligation to participate in tenure and promotion review of colleagues as specified in University policy."

The vote may proceed if all the votes counted at the time of voting (including votes from those members physically present as well as absentee ballot votes from faculty) constitute a simple majority. However, any action taken with less than a simple majority of eligible faculty present and voting (and which includes absentee ballots) will be invalid, with a new vote to be conducted at a rescheduled meeting in a timely manner.

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 that must be included within the pages of the faculty member's dossier along with the committee's recommendation. In the event of a tie vote, two (2) minority reports will be written and must be included within the pages of the faculty member's dossier before the dossier is forwarded to the next level in the personnel process. If two minority reports are required, those reports must contain distinct comments; one may not be a copy of the other. Minority reports must discuss all three areas of review and must be turned in for the candidate to read at the same time as majority reports. Minority reports cannot be written a week or several days after a candidate has seen a majority report.

Majority and minority reports that are written following a college committee review must contain only information discussed at the meeting. All faculty members who voted on a candidate for retention, tenure, or promotion shall be required to sign all reports, including any positive and negative minority reports.

Faculty members under review shall be required to sign these reports in a timely manner consistent with the deadlines on the Calendar for Faculty Personnel Actions. Signing these forms simply indicates that the faculty member has read the review reports and/or forms. Signing does not necessarily indicate agreement or disagreement with the contents of these reports and/or forms.

All faculty members who voted on a candidate for retention, tenure, or promotion shall be required to sign all reports, including any positive and negative minority reports. Faculty members shall sign these reports in a timely manner consistent with the deadlines on the Calendar for Faculty Personnel Actions. Committee members are required to print names clearly below their signatures on these reports (where specified). Signing these reports simply indicates that the faculty members have read the reports. Signing does not necessarily indicate agreement or disagreement with the contents of these reports. 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.

- c. The role of the departmental representative on the college committee is informational in nature. The departmental representative shall answer questions posed to him/her by the members of the college committee without advocating either for or against the retention, tenure, or promotion of the candidate within the representative's department. However, as discussion ensues, the departmental representative may seek permission from the presiding officer to rectify incorrect factual information (for example, the conversation may surround a single conference the faculty member attended, but the departmental representative knows, for a fact, that the candidate actually participated in two conferences.) The departmental representative should strive for objectivity on behalf of the department committee and refrain from offering personal opinions.

The college committee may solicit documented information from the departmental chair/director, departmental representative or others from the department of the faculty member under review. Faculty members who participated in the college committee meeting shall be selected to write reports on individual candidates applying for retention, tenure or promotion. These reports shall be organized into the three areas under review. The presiding officer shall notify the faculty member under review of the outcome of the college committee's actions within the timetable in the Calendar for Personnel Action.

- d. The college Dean shall write 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.
- e. A faculty member shall have the right to appeal the college recommendation in writing to the Provost (see Section III.B.3 [Consideration for Tenure, Tenure Process, Appeals]).

3. Appeals

The appeals process is available concerning negative decisions on retention, tenure, and promotion. All appeals must be in writing and shall be included within the faculty member's e-dossier under "Current Recommendations." Faculty who are eligible to appeal negative decisions on their retention, tenure, or promotion are required to, at the very minimum, include a clear, brief rationale within the written appeal. All formal evaluations at all levels of the retention, tenure, and promotion appeal processes shall be available to the University Tenure and Promotion Appeals Board, the appropriate individuals at each level of the process, and to the candidate.

- a. When both department-level recommendations are negative, the faculty member may submit to the college dean an appeal which automatically brings the matter before the college committee and the college dean for consideration and recommendations. The dean does not deliberate on the merits or weaknesses of the faculty member's appeal. Should one (1) department-level recommendation be affirmative, that will bring the

dossier forward for consideration and action at the college level. Should an entire committee vote with “abstain” votes, that action will be considered neither a positive nor a negative vote. However, when an entire committee votes with all “abstain” votes, a member or members of that committee shall come forward to prepare the RTP recommendation report that discusses the candidate’s performance in the three areas of review. When a chair is being reviewed for retention, tenure, or promotion and the departmental level recommendation is negative (hence no chair’s review), the chair shall have the right to appeal to the college dean for consideration at the college level. The presiding officer of the committee will write the report and move the dossier forward to the next level.

- b. If there is at least one (1) affirmative college-level recommendation, the dossier shall move forward for consideration by the Provost. When both college-level recommendations are negative, the faculty member may request that an appeal of those negative recommendations be heard by the University Tenure and Promotion Appeals Board (see Composition of University Tenure and Promotion Appeals Board below) for further consideration.
- c. Such a request must be submitted in writing to the offices of the Provost and the President within seven (7) days of receiving written notice of the second of the two negative recommendations (i.e. Dean or college committee).
- d. The University Tenure and Promotion Appeals Board shall examine the appeal forwarded to the Board by the President or Provost and may, at its discretion, seek additional information from the candidate, the Provost, and other individuals who the Board believes may have information germane to its deliberations.
- e. After the University Tenure and Promotion Appeals Board has deliberated on the faculty member’s appeal, the faculty member’s e-dossier shall be submitted to the Provost and must include the Board’s recommendations to the Provost. The Provost will have a vote at this time. After the Provost has acted on the e-dossier, it shall move forward for consideration by the President.
- f. The University Tenure and Promotion Appeals Board shall make its recommendation to the Provost in writing by the date established by the Provost in the Calendar for Faculty Personnel Actions. The recommendations of the University Tenure and Promotion Appeals Board are advisory, and the President and Provost may accept or reject the recommendations of the Appeals Board in formulating their decisions.

A Calendar for Faculty Personnel Actions, which is prepared annually by the Provost, shall include the dates by which each level of consideration should be accomplished, including appeal periods. Appeal documents may only be added to the e-dossier within the windows of time as outlined within the Calendar for Faculty Personnel Actions. If the faculty member fails to submit an appeal by the close of business on the due date established on the Calendar for Faculty Personnel Actions, then the appeals process is automatically stopped on the due

date, and the e-dossier will receive no further consideration. 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. The President shall have discretion and authority to extend the Calendar for Faculty Personnel Actions. (See Section V.A [Changes in Tenure/Tenure-Track Status, Non-renewal of Probationary Tenure-Track]).

Composition of University Tenure and Promotion Appeals Board

University Tenure and Promotion Appeals Board shall be composed of one member from each of the college promotion committees (College of Arts & Letters, College of Behavioral and Health Sciences, College of Business, College of Education, College of Science and Mathematics, and School of Technology and Public Management) chosen by election of college faculties from among the colleges' tenured Professors, one (1) University member designated by the President, and one (1) University member designated by the Faculty Senate. The member representing each of the college promotion committees shall be a tenured Professor who must be *elected* by that college's faculty according to established procedures at the University. A faculty member on any personnel review committee who has previously voted on a colleague for retention, tenure, or promotion in that same tenure/promotion review cycle may not serve as a member of the University Appeals Board to examine a retention, tenure, or promotion appeal that may be filed subsequently by that colleague. The chairperson of the committee shall be a non-voting member, a college Dean, appointed by the President. The Dean of the College of the faculty member making an appeal shall not serve as Chair of the University Tenure and Promotion Appeals Board for that appeal.

If the University member designated by the Faculty Senate has previously served and voted on any personnel committee described above in the current review cycle, the Faculty Senate president shall name another appointee to serve as a member of the University Tenure and Promotion Appeals Board. If the University member designated by the President has previously served and voted on any personnel committee described above in the current review cycle, the President shall name another appointee to serve as a member of the University Tenure and Promotion Appeals Board. If any one of the members chosen from each of the college promotion committees has previously served and voted on any personnel committee described above in the current review cycle, then the college Dean, who is a non-voting member and chairperson of the University Tenure and Promotion Appeals Board, shall make a recommendation to the President to name another appointee.

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. 5:02:02:20 (Faculty Promotion); (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.

D. Probationary Employment

Probationary faculty may be employed on annual tenure-track appointments for a probationary period which may not exceed six (6) years; however, six (6) years is considered to be the normal length of time required to develop a substantial record in teaching, research and service. The faculty member may apply for tenure following a probationary period of not less than five years, provided that exceptions to the minimum probationary period may be made under special circumstances upon recommendation by the President and approval by the Chancellor. Upon approval of such an exception by the Chancellor, the faculty member's recommendation for tenure will go forward to the Board as meeting the requirements for the probationary period, per TBR policy 5:02:03:60,

http://www.tbr.state.tn.us/policies_guidelines/personnel_policies/5-02-03-60.htm

Faculty members who are denied tenure in their sixth (6th) year and receive a notice of non-renewal from the President may not re-apply for tenure, but are provided a final seventh (7th) year of employment.

E. Calculating the Probationary Period

Only full-time continuous service at a University will be included in determining completion of the probationary period, except where a break in service was pursuant to an approved leave of absence.

1. Credit for Prior Service

The minimum probationary period of five years may include credit for prior service when agreed to by the President, and subject to the maximum permissible credit for prior service as noted below:

- a. Credit toward completion of the probationary period may at the discretion of the President be given for a maximum of three (3) years of previous full-time service at other colleges, universities, or institutes provided that the prior service is relevant to the institution's own needs and criteria. The years awarded will be added on after the second, third, or fourth year retention. Faculty members negotiating and receiving credit for prior service must seek tenure in the 6th year (prior service granted plus APSU tenure-track service) of employment. Recommendations on prior service are the responsibility of the Provost 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. Any credit for prior service that is recognized and agreed to must be confirmed in writing at the time of the initial appointment.
- b. Credit toward completion of the probation period may, at the discretion of the President, be given for a maximum of three (3) years or previous full-time service in a temporary faculty appointment or term appointment at the same institution (see Faculty Appointments II.F) or in an earlier tenure-track appointment at the same institution that has been followed by a break in service. Any credit for prior service in a temporary full-time faculty appointment at the same institution or in an earlier tenure-track appointment (at the same institution) that has been followed by a break in service must be recognized and confirmed in writing in the appointment letter to a tenure-track position.

2. Approved Leave of Absence

A period of approved leave of absence shall be excluded from the requisite period for completion of the probationary period unless the President of the University specified in writing prior to the leave of absence that it shall be included in the probationary period. No accomplishments attained during an excluded leave may be considered in retention, tenure, and promotion processes. Leaves of absence may not be granted retroactively. A faculty member may apply for a maximum of two (2) extensions in one-year increments so long as the total probationary period does not exceed six years. Requests for a second extension follow the same procedure and are subject to the same considerations as the original extension.

3. Stopping the Tenure Clock

A faculty member in a tenure track appointment may request to "stop the clock" during his/her probationary period when circumstances exist that interrupt the faculty member's normal progress toward building a case for tenure. Discretion for stopping the tenure clock rests on the institution and also requires supervisory approval. In such cases, the faculty member may request to "stop the tenure clock" for one-year if he/she demonstrates that circumstances reasonably warrant such interruption. Reasons for approving a request to "stop the clock" will typically be related to a personal or family

situation requiring attention and commitment that consumes the time and energy normally addressed to faculty duties and professional development. Examples may include, but are not limited to, childbirth or adoption, care of dependents, medical conditions or obligations, physical disasters or disruptions, or similar circumstances that require a fundamental alteration of one's professional life. The intent of this policy is to serve the best interests of the University while providing neither preference to, nor adverse effect on, a faculty member's process of developing a case for tenure. Once approved, the "stop the clock" year is not counted in the probationary period accrual.

However, articles that are published (online or in print) during the "stop the clock" year shall be accepted as items in Area 2 (Scholarly and Creative Achievement) during the probationary period. For example, if the faculty member receives notice of an acceptance of an article (submitted at a previous time) during the "stop the clock" year or receives notice of an invitation to submit a scholarly essay to a journal, the faculty member may count this as part of his/her publication achievements in Area 2. When there is disagreement as to the admissibility of scholarly/creative activity in Area 2 during a "stop the clock" year, the faculty member shall consult with his/her Chair, Dean, and Provost to resolve the situation. This provision applies to tenure-track faculty only.

4. Procedure

A faculty member seeking a modification of his/her probationary period must submit his/her request, in writing, addressing the considerations described above. The request is to be submitted to the department chair/director for consideration and recommendation. The chair/director's recommendation is forwarded to the Dean of the faculty member's college for consideration and recommendation; thence to the provost for consideration and recommendation; and finally to the President for approval or denial. The President will notify the faculty member, in writing, of the decision to approve or deny such exceptions within one month of submission. Requests for modification of the probationary period that are based on a faculty member's health or care for an immediate family member should also be submitted to the University's legal counsel or to TBR's Office of the General Counsel for review.

A faculty member who is appointed to an administrative position prior to a tenure award remains eligible for tenure under two conditions: 1) the faculty member must qualify for tenure under departmental or academic program unit, college and University guidelines; and 2) the faculty member must maintain a significant involvement in academic pursuits including teaching, scholarship and service. The time (or prorated portion of time) spent in the administrative position may be credited toward completion of the probationary period.

Where a faculty member is serving a probationary period in a department or academic program unit and is subsequently transferred to another department or academic program unit, the faculty member may – with the approval of the President – elect to begin a new probationary period on the date that the transfer occurs. If he/she does not so elect (and confirm in writing to the President), time spent in the first appointment shall count

toward establishing the minimum and maximum probationary period (See Section E.1 [Calculating the Probationary Period, Credit for Prior Service]).

(Note: APSU further clarifies evaluation procedures during probationary period approved leaves and periods of stopped tenure clocks)

There are two methods for extending the probationary period. The first (Outlined in E.2 [Approved Leave of Absence] above) occurs when a faculty member is on an approved leave of absence. Unless otherwise specified in writing by the President, such a leave of absence automatically extends the probationary period by one year by TBR mandate. At APSU, the minimum leave of absence to apply under this policy is twenty (20) weeks in a given nine (9) month academic year as defined by faculty contract.

The second method for extending the probationary period is Stopping the Tenure Clock, (Outlined in E.3 [Stopping the Tenure Clock]). Stopping the tenure clock is for situations that do not prevent a faculty member from fulfilling teaching, advising, and administrative duties. The faculty member must specifically request in writing to the President that the tenure clock be stopped. A request to stop the clock must be submitted no later than sixty (60) business days before the dossier is due. The phrase “building a case for tenure” is herein defined as referring to the accumulation of job-related accomplishments during the relevant performance review period. This is distinguished from the actual preparation of a dossier which is the assembly and presentation of evidence that accomplishments have occurred over the course of a performance review period. The time period to which the “stop the clock” option is applied is the performance review period within which the request is made. The “stop the clock” option is only open to individuals who have not been able to make normal progress toward “building a case for tenure” as defined above. It is not open to an individual who has been unable to prepare a dossier, i.e., evidence of accomplishment, by the date stipulated in the governing Calendar for Faculty Personnel Actions.

Credit for Prior Service

If granted, the years of credit for prior service awarded will be added on after the second, third, or fourth year retention. As a result, a faculty member granted one (1) year of credit towards completion of the probationary period may apply for tenure in the fall of the fifth year of service at APSU, a faculty member granted two (2) years of credit towards completion of the probationary period may apply for tenure in the fall of the fourth year of service at APSU, and a faculty member granted three (3) years of credit towards completion of the probationary period may apply for tenure in the fall of the third year of service at APSU. Faculty members negotiating and receiving credit for prior service must seek tenure in the 6th year (prior service granted plus APSU tenure-track service) of employment. Recommendations on prior service are the responsibility of the Provost after consultation with the appropriate Dean, department chairperson, and departmental personnel committee and approval by the President. Upon the President's approval, the number of years awarded toward tenure will be stated in the faculty member's initial contract. The department 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.

For additional information on Leave of Absence, please see APSU policy 5:040, particularly regarding clearance procedures for returning from medical leave.

IV. CRITERIA TO BE CONSIDERED IN TENURE RECOMMENDATIONS

Overview

Faculty members shall be evaluated for retention, tenure, 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; and
Promotion: since initial appointment or date of last promotion whichever is the more recent.

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

General Criteria for Evaluation of Faculty Members

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, as well as departmental and program administrative assignments;
3. Research, scholarly and creative activity;

4. Professional degrees, awards, and achievements;
5. Professional service (may include institutional committee assignments) 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 and
8. Demonstrated willingness and ability to work effectively with colleagues to support the mission of the institution and the common goals both of the institution and of the academic organizational unit; and evidence of, regard for, and performance consistent with, accepted standards of professional conduct.

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.

A. Effectiveness in Academic Assignment

As noted by TBR Policy 5:02:03:60, "Effective teaching is an essential qualification for tenure, and tenure should not be granted in the absence of clear evidence of a candidate's teaching ability and potential for continued development. Excellence in teaching is a strong recommendation for both tenure and promotion though it cannot be considered in isolation from scholarship and service. Although it is difficult to establish evidence of teaching excellence, each department must develop a procedure to ensure that factual information relative to a candidate's teaching is available at the time he/she is considered for tenure. It is expected that a component of teaching is effective student advisement.

The teaching portfolio should include, but is not limited to, evidence of teaching excellence as follows: ability to organize and present subject matter in a logical and meaningful way; ability to motivate and stimulate creativity, intellectual curiosity, and interest in writing and inquiry in undergraduates and/or graduate students; and evidence of peer evaluation. Documentation of teaching should routinely include: statement of teaching philosophy; course materials; student evaluations for every course evaluated during the probationary period; and evidence of supervision of student projects and other forms of student mentorship. A candidate for tenure may choose to include other types of evidence that support his/her application for tenure such as additional student input; student products; teaching recognition; teaching scholarship; peer input; evidence of professional development in teaching; evidence of disciplinary or interdisciplinary program or curricular development; alumni surveys and student exit interviews; and other evidence of excellence in teaching or mentoring, or both."

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. Positive evaluation in the area "Effectiveness in Academic Assignment" is the prime, but not sole, condition for retention, tenure, or promotion.

1. **Teaching Effectiveness.** Evidence for teaching effectiveness shall include a list of courses taught, a sample of relevant course materials, and student evaluations 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 chair/director 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 should also be included.
2. **Non-Teaching and Teaching Chairs, Directors, and Coordinators.** Academic program directors and department chairs who do not teach will be evaluated for retention and tenure in Category A ("Academic Assignment") on the basis of their effectiveness in their administrative position. Department chairs who teach will be evaluated for retention and tenure on their teaching effectiveness as well as their effectiveness in their administrative position.

B. Research/Scholarship/Creative Activities

As noted by TBR Policy 5:02:03:60, "A candidate for tenure must present evidence of his/her research, scholarship and/or creative activities when he/she applies for tenure. Such evidence should cite books, journal articles, monographs, creative activities, performances, or exhibitions that have undergone appropriate peer review. Research publications in refereed journals or media of similar quality are considered reliable indicators of research/scholarly ability. Written reviews and evaluations by qualified peers, either in person or aided by other forms of reports, or both, are appropriate for performances, compositions, and other artistic creations. Books published by reputable firms and articles in refereed journals, reviewed by recognized scholars, are more significant than those that are not subjected to such rigorous examination. It should be emphasized that quality is more important than quantity.

The tenure dossier/application must include evidence of peer review of the candidate's record of research/scholarly activity by qualified peers. The scholarship of teaching is a valid measure of research capability. It goes beyond doing a good job in the classroom; creative teachers should organize, record, and document their efforts in such a way that their colleagues may share their contributions to the art of teaching. Appropriate textbooks or educational articles in one's own discipline and innovative contributions to

teaching, if published or presented in a peer-reviewed forum, constitute scholarship of teaching.”

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:

1. **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.
2. **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.
3. **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.
4. **Research or Arts in Progress.** Verification of stages of development is mandatory.
5. **Other Items.** These include funded or unfunded research proposals, grant applications, computer software development, audio-visual media, and other similar material.

Irregularities in Research, Scholarship, and/or Creative Activities

If the activities of a faculty member in Research, Scholarship, and Creative Activities appear irregular to the departmental personnel review committee, that committee shall have the right to request the faculty member to provide copies of correspondence, documents, and materials related to the faculty member's publications and/or scholarly/creative activities. The faculty member shall act on that request and must furnish the required information as expeditiously as possible before the committee votes on that faculty member's dossier.

However, if questions of misconduct in research or other creative activities arise at committee levels higher than the departmental level, these committees and/or supervisors (the Dean, Provost, and/or President) may ask for and consider additional information that may be forwarded with the dossier. If the allegations are substantiated through the University's due process procedures, this additional information shall become part of the faculty member's permanent personnel file in Academic Affairs.

Sole authorship is universally understood to mean one person writing original work. Faculty are reminded that only materials that have been accepted for publication by a

reputable journal or recognized press in the author's area of expertise should be included as "publications" in the dossier.

For co-authored or multi-authored publications submitted to peer-reviewed journals or recognized publishers, the authors must indicate, as precisely as possible, their level of contribution to the published work. Their level of contribution may be determined by (a) highlighting their part of the work; (b) a letter from the senior or primary author describing the levels of each of the other faculty members' levels of contribution to the work; and/or (c) a clear narrative explanation with documentation of the faculty member's specific contributions.

Faculty are advised to read APSU Policy 99:013 (Misconduct in Research and Other Creative Activities) as well as TBR policies 5:02:03:30 (Academic Freedom and Responsibility Section II.C) and 5:02:03:60 (Academic Tenure for Universities).

C. Professional Contributions and Activities

Part of every faculty member's expected performance in Professional Contributions and Activities is regular participation in the governing and policy-making processes of the University, and such participation should be included in this area of evaluation. 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. The faculty member should also include evidence of continuing professional development and growth. The 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:

1. **Service to Campus.** As noted by TBR Policy 5:02:03:60, "University service refers to work other than teaching and scholarship done at the department, college, or University level. A certain amount of such service is expected of every faculty member; indeed, universities could hardly function without conscientious faculty who perform committee work and other administrative responsibilities. University service includes, but is not limited to, serving on departmental committees and participating in college and University committees. Some faculty members may accept more extensive citizenship functions, such as a leadership role in the Faculty Senate, membership on a specially appointed task force, service as advisor to a University-wide student organization, and membership on a University search committee."
2. **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.

3. **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.
4. **Professional Development.** This category includes training, workshops, seminars, continuing education, conference attendance, online training, or similar activities related to professional growth.

D. 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 retention and 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; and
6. Maintenance of adequate faculty to support essential curricula.

V. CHANGES IN TENURE/TENURE-TRACK STATUS

A. Non-renewal of Probationary Tenure-Track

1. When tenure-track appointments of faculty are not to be renewed for further service, the faculty member shall receive notice of his/her non-retention for the ensuing academic year as follows:
 - a. Not later than April 1 of the first academic year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least two months in advance of its termination;
 - b. Not later than January 1 of the second year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least five months in advance of its termination or
 - c. Not later than the close of the academic year preceding the third or subsequent year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least twelve months in advance of its termination.

The above stated dates are the latest dates for notice of non-renewal of faculty on tenure-track appointments, and each University may adopt annual dates which provide for longer notice of non-renewal. 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, to the faculty member at his/her current home address of record at the University.

Applicable dates for notice of non-renewal are based upon actual years of service at a particular University and in no way affected by any credit for prior service. When a faculty member on a tenure-track appointment completes his/her probationary period, the faculty member will be recommended for tenure by the President or will be given notice of non-renewal of the appointment during the spring term following application for such status. Such notice of non-renewal should be given not later than the final day of the academic year. The faculty member's right in an instance where timely notice is not given is described in Section V.I.1 (Changes in Tenure-Track Status, Procedures for Termination for Adequate Cause).

2. Faculty members on tenure-track appointments shall not be terminated during the term of the annual appointment as stated in the employment contract except for reasons which would be sufficient for the termination of tenured faculty.
3. The non-renewal or non-reappointment of any faculty member on a tenure-track appointment does not necessarily carry an implication that his/her work or conduct has been unsatisfactory.
4. Unless there is a violation of state or federal law under the limitations described in the TBR 1:02:11:00 (Appeals and Appearances Before the Board), decisions that are not subject to appeal to the Chancellor include (a) non-renewal of a tenure-track faculty appointment during the first five years of the probationary period and (b) denial of tenure unaccompanied by notice of termination in the sixth year of the probationary period.

B. Transfer of Tenure

Where a faculty member is tenured in an academic program unit (e.g., a department or division) he/she may be transferred to another academic program unit. In such cases, the transfer will be made with tenure; moreover, the tenure appointment will be transferred to the new academic program unit. In no instance may the faculty member be compelled to relinquish tenure as a condition for effecting the transfer.

C. Expiration of Tenure

Tenure status shall expire upon retirement of the faculty member. Tenure shall also expire upon the event of permanent physical or mental inability of a faculty member, as

established by an appropriate medical authority, to continue to perform his/her assigned duties.

D. Relinquishment of Tenure

A faculty member shall relinquish or waive his/her right to tenure upon resignation from the University or upon failure to report for service at the designated date of the beginning of any academic term, which shall be deemed to be a resignation unless, in the opinion of the President, the faculty member has shown good cause for such failure to report. Where a tenured faculty member is transferred or reclassified to another department or academic program unit by the University, the transfer or reassignment shall be with tenure. Tenure is not relinquished during administrative assignments at the University.

E. Termination of Tenure for Reasons of Financial Exigency

A tenured faculty member may be terminated as a result of financial exigency at a University subject to Board declaration that such financial conditions exist. Personnel decisions (including those pertaining to tenured faculty) that result from a declaration of financial exigency at a Board of Regents University will comply with the Board Policy on Financial Exigency (5:02:06:00).

F. Termination of Tenure for Curricular Reasons

The employment of a tenured faculty member may be terminated because 1) an academic program is deleted from the curriculum or 2) because of substantial and continued reduction of student enrollment in a field or discipline. Before declaring that curricular reasons exist, the President will ensure meaningful participation by the University's representative faculty body in identifying the specific curricular reasons, evaluating the long-term effect on the University's curriculum and its strategic planning goals, and the advisability of initiating further action. Prior to initiating the process described below, the President will present-either verbally or in writing - a description of curricular reasons that may warrant the termination of tenured faculty member(s).

The University policy describing procedures whereby this presentation is made to a representative faculty body is provided below in item G. That body will have the opportunity to respond in writing to the President before action described below is initiated. Each of these reasons for termination of tenure for curricular reasons must denote shifts in staffing needs that warrant greater reductions than those which are accommodated annually in light of shifting positions from one department to another or among colleges to handle changing enrollment patterns (see Section V.G.6 [Changes in Tenure/Tenure-Track Status, Procedures for Termination of Tenure, Definitions]).

1. Part-time faculty within a department or division should not be hired or renewed before tenured faculty are terminated.
2. Temporary faculty should not be renewed before tenured faculty are terminated.

3. Tenure-track faculty in the probationary period should not be renewed before tenured faculty are terminated.
4. Among tenured faculty those with higher rank should have priority over those with lower rank.
5. Among tenured faculty with comparable rank, those with appropriate higher academic degree(s) should have priority over those with lower academic degree.
6. Among tenured faculty with comparable rank and degrees, those with greater seniority in rank should normally have priority over those with less seniority.

G. Procedures for Termination of Tenure

1. Upon determining that termination of one or more tenured faculty members is required for one or more of the two 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 of which faculty members were to be terminated was reached. The President's written statement shall also indicate that the faculty member has the opportunity to respond in writing stating any objections to the decision.
2. If the faculty member(s) to be terminated indicate(s) 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 tenured faculty members from a slate of ten tenured faculty members proposed by the representative faculty body. The 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 the faculty member(s) proposed for termination in writing either that the decision for termination stands or that it has been altered.
3. The President's decision to terminate a tenured faculty member for curricular reasons is subject to appeal to the Chancellor and the Board as provided in the policy on appeals to the Board (TBR Policy 1:02:11:00 [Appeals and Appearances Before the Board]).
4. 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 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(s) that would have been awarded during the period that he/she was not employed).

5. Upon determining that termination of one or more tenured faculty members is warranted for curricular reasons, the President shall base his/her decision about which faculty member(s) should be terminated upon his/her 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 academic program unit which cannot be warranted either by comparison with general load practices within the University or by comparison with faculty loads in comparable departments or academic program units at similar universities. In that light, the President shall also, at his/her discretion, base his/her decision on a careful assessment of the impact of the curricular reason on staffing requirements in the department or academic program unit as compared to overall patterns in the University and to comparable departments or academic program units which, in his/her judgment, are in universities similar enough to warrant assessment.

6. Definitions

- a. "Program is deleted from the curriculum" means that the Board takes formal action to terminate a degree major, concentration, or other curricular component and that such termination 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 University 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 academic program units at similar universities which the President would deem to be appropriate for comparison.
7. When a tenured faculty member is to be terminated for curricular reasons, the President will make every possible effort to relocate the tenured 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 University is a viable alternative, the University 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 within the discretion of the President.

H. Termination for Adequate Cause

A faculty member with tenure or a faculty member on a tenure-track appointment prior to the end of the term of appointment may be terminated for adequate cause, which includes the following:

1. Incompetence or dishonesty in teaching or research;
2. 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, the University or the department, or to carry out specific assignments, when such policies or assignments are reasonable and non-discriminatory;
3. Conviction of a felony or a crime involving moral turpitude;
4. Improper use of narcotics or intoxicants, which substantially impairs the faculty member's fulfillment of his/her departmental and University duties and responsibilities;
5. Capricious disregard of accepted standards of professional conduct;
6. Falsification of information on an employment application or other information concerning qualifications for a position; and
7. Failure to maintain the level of professional excellence and ability demonstrated by other members of the faculty in the department or academic program unit of the University.

I. 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 annual specified term of the appointment, shall be subject to the following procedures:

1. No termination shall be effective until steps 4 through 9 below have been completed.
2. Suspensions pending termination shall be governed by the following procedure:
 - a. A faculty member may not be suspended pending completion of steps 4 through 9 unless it is determined by the University that the faculty member's presence poses a danger to persons or property or a threat of destruction to the academic or operational processes of the University. Reassignment of responsibilities is not considered suspension; however, the faculty member must be reassigned responsibilities for which he/she is qualified.
 - b. In any case of suspension, the faculty member shall be given an opportunity at the time of the decision or immediately thereafter to contest the suspension; and, if there are disputed issues of fact or cause and effect, the faculty member shall be provided the opportunity for a hearing on the suspension as soon as possible at which time the faculty member may cross-examine his/her accuser, present witnesses on his/her behalf, and be represented by an attorney. Thereafter,

whether the suspension is upheld or revoked, the matter shall proceed pursuant to these procedures.

3. Except for such simple announcements as may be required concerning the time of proceedings and similar matters, public statements and publicity about these proceedings by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the Board.
4. Upon a recommendation by the chief academic officer of the University to the President or upon a decision by the President that these procedures should be undertaken in consideration of the termination of a tenured faculty member, one or more appropriate administrators shall meet privately with the faculty member for purposes of attempting to reach a mutually acceptable resolution of the problems giving rise to the proposed termination proceedings.
5. If no mutually acceptable resolution is reached through step 4, the following steps shall be taken.
 - a. The faculty member shall be provided with a written statement of the specific charges alleged by the University which constitute grounds for termination and a notice of hearing specifying the time, date, and place of the hearing. The statement and notice must be provided at least twenty (20) days prior to the hearing. The faculty member shall respond to the charges in writing at least five (5) days prior to the hearing. The faculty member may waive the hearing by execution of a written waiver.
 - b. A committee consisting of tenured faculty or tenured faculty and administrators shall be appointed to hear the case and to determine if adequate cause for termination exists according to the procedure herein described. The committee shall be appointed by the President and the officially recognized faculty senate, assembly or advisory committee, with each appointing the number of members designated by the policy of the University. The committee may not include any member of the faculty committee referred to in 4 above. Members deeming themselves disqualified for bias or interest shall remove themselves from the case, either at the request of a party or on their own initiative. Members of the committee shall not discuss the case outside committee deliberations and shall report any ex-parte communication pertaining to the hearing to the President who shall notify all parties of the communication.
6. The hearing committee shall elect a chairperson who shall direct the proceedings and rule on procedural matters, including the granting of reasonable extensions of time at the request of any party and upon the showing of good cause for the extension.
7. The chairperson of the hearing committee may in his/her discretion require a joint pre-hearing conference with the parties which may be held in person or by a

conference telephone call. The purpose of the pre-hearing conference should include but is not limited to one or more of the following:

- a. Notification as to procedure for conduct of the hearing;
 - b. Exchange of witness lists, documentary evidence, and affidavits;
 - c. Definition and clarification of issues and
 - d. Effecting stipulations of fact. A written memorandum of the pre-hearing conference should be prepared and provided to each party.
8. A hearing shall be conducted by the hearing committee to determine whether adequate cause for termination of the faculty member exists. The hearing shall be conducted according to the procedures below.
- a. During the hearing, the faculty member will be permitted to have an academic advisor present and may be represented by legal counsel of his/her choice.
 - b. A verbatim record of the hearing will be taken and a typewritten copy will be made available to the faculty member, upon request, at the faculty member's expense.
 - c. The burden of proof that adequate cause exists rests with the University and shall be satisfied only by clear and convincing evidence in the record considered as a whole.
 - d. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the committee in using its best efforts to secure witnesses and make available documentary and other evidence that is under its control.
 - e. The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the committee will identify the witnesses, disclose their statements, and, if possible, provide for interrogatories. An affidavit may be submitted in lieu of the personal appearance of a witness if the party offering the affidavit has provided a copy to the opposing party 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 ensure a just and fair decision.
 - f. In a hearing on charges of incompetence, the testimony shall include that of qualified faculty members from the University or other universities of higher education.

- g. The hearing committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
 - h. The findings of fact and the report will be based solely on the hearing record.
 - i. The President and the faculty member will be provided a copy of the written committee report. The committee's written report shall specify findings of fact and shall state whether the committee has determined that adequate cause for termination exists and, if so, the specific grounds for termination found. In addition, the committee may recommend action less than dismissal. The report shall also specify any applicable policy the committee considered.
9. After consideration of the committee's report and the record, the President may at his/her discretion consult with the faculty member prior to reaching a final decision regarding termination. Following his/her review, the President shall notify the faculty member of his/her decision, which, if contrary to the committee's recommendation shall be accompanied by a statement of the reasons. If the faculty member is terminated or suspended as a result of the President's decision, the faculty member may appeal the President's action to the Chancellor pursuant to TBR Policy 1:02:11:00 (Appeals and Appearances Before the Board) . Review of the appeal shall be based upon the record of hearing. If upon review of the record, the Chancellor notes objections regarding the termination and/or its proceedings, the matter will be returned to the President for reconsideration, taking into account the stated objections, and, at the discretion of the President, the case may be returned to the hearing committee for further proceedings.

VI. EVALUATION OF MATERIALS

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

VII. GENERAL ORGANIZATION AND PROCEDURES FOR PERSONNEL COMMITTEES

- A. The department chair/director and all full-time tenured faculty members of a department constitute the official body eligible to make departmental personnel recommendations. The department chair/director and all eligible full-time tenured faculty members of a department or school shall be required to participate in personnel processes.
- B. Departmental personnel committees shall consist of at least three (3) tenured faculty members not counting the department chair/director. In departments having fewer than three (3) faculty members eligible to serve on their departmental personnel committee, the Provost may assign the review of faculty to the departmental personnel committee of

another department. In such an instance, all eligible faculty from the department consisting of fewer than three (3) tenured faculty shall be included in all departmental personnel committee proceedings. The department-specific criteria of the faculty member being reviewed for tenure or promotion shall be the criteria used in making determinations by the departmental personnel committee created under this provision. The chairperson's evaluation shall be made by the chair of the department that has fewer than three (3) tenured faculty. The chairperson of the department with fewer than three (3) members shall meet with the personnel committee while his/her faculty member is being reviewed and shall leave prior to a vote, as described under Section III.B.1.h, Consideration for Tenure.

- C. College committee members who were eligible to vote on a personnel action at the departmental level shall not be eligible to vote on the same action at the college level. 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 chairpersons/directors 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 that does not fit within the evaluative framework presented above will have its process designated by the Provost, but must be consistent with the spirit of the above described process.
- F. All committee proceedings and deliberations are confidential. Faculty members outside of the review process who are interested in the outcome of a particular vote or recommendation may file a public records request per APSU Policy 5:050.