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## 2.0 Employment

## **2.1 General Employment Practices for Faculty Members**

### **2.1.1 Appointments**

The Board empowers the president of the University to appoint individuals to faculty positions. Faculty members — instructors and those holding professorial ranks — are appointed for one-year periods of service. Full-time employees in one of these ranks may be granted continuing employment under the provisions of the tenure policies outlined subsequently and may be terminated only in accordance with these provisions.

The terms of every new appointment shall be stated in writing and be in the possession of both the prospective faculty member and the administration before the appointment is confirmed. Each time a faculty member is reappointed the terms of the reappointment including salary, contract year, department of assignment, and rank shall be stated in writing and be in his/her possession before the expiration of his/her previous assignment, to the extent possible. Since no agreement may become final until the Board of Regents has approved annual budgets, and since such approval may sometimes not be given until after termination of the academic year, it may not be possible to guarantee any upcoming year's salary before the expiration of a previous appointment. In such instances, a faculty member will be furnished in writing the terms of his/her reappointment that will become effective with the approval of the University's budget.

At the time of his/her employment, a new faculty member shall be informed of the current University, college, and department standards by which he/she can expect to be judged for eligibility for tenure. All faculty have access to the complete and updated *ETSU Faculty Handbook*, which is available online at <http://www.etsu.edu/senate/facbook/fhtoc.htm>. Chairs and deans shall keep a faculty member informed of their expectations for her/his performance, including requirements for promotions and tenure. Any dramatic alterations in these expectations should be made explicit. In most circumstances this will be accomplished through the FAP/FAR/FAE process.

### **2.1.2 Academic Freedom and Responsibility**

East Tennessee State University endorses the 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors as revised and refined since 1940, and also the Statement on Professional Ethics of the same organization, insofar as these are not limited by State law or the policies of the Board of Regents of the State University and Community College System of Tennessee. The University recognizes the principle of academic freedom, pursuant to which:

The faculty member is entitled to freedom in the classroom in discussing his or her subject, being careful not to introduce into the teaching unrelated subject matter.

The faculty member is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his/her other academic duties and subject to conditions of a sponsored grant or contract, if any, supporting the research and the University's Financial Conflict of Interest Policy. Research for financial gain must be based upon an understanding with the authorities of the university, which is documented, reduced to writing and signed by the faculty member and the appropriate academic officer(s).

The faculty member is a citizen, a member of a learned profession, and an officer of an educational university/college. When the faculty member speaks or writes as a citizen, he/she should be free from university/college censorship or discipline, but his/her special

position in the community imposes special obligations. As a man or woman of learning and an educational officer, he/she should remember that the public may judge the profession and the university/college by the faculty member's utterances. Hence, a faculty member should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he/she does not speak for the university/college. Academic freedom is essential to fulfill the ultimate objectives of an educational university/college—the free search for and exposition of truth—and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth, and academic freedom in teaching is fundamental for the protection of the rights of the faculty member in teaching and of the student to freedom in learning. Implicit in the principle of academic freedom are the corollary responsibilities of the faculty who enjoy that freedom. Incompetence, indolence, intellectual dishonesty, failure to carry out assigned duties, serious moral dereliction, arbitrary and capricious disregard of standards of profession conduct—these and other grounds as set forth in TBR and university policy may constitute adequate cause for dismissal or other disciplinary sanctions against faculty members subject to the provisions of Article III. 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. Thus, academic freedom and academic responsibility are interdependent, and academic tenure is adopted as a means to protect the former while promoting the latter. While academic tenure is essential for the protection of academic freedom, all faculty members, tenured or non-tenured, have an equal right to academic freedom and bear the same academic responsibilities implicit in that freedom.

Source: TBR April 2, 2004; approved by Academic Council February 17, 2005

### **2.1.3 Standards of Conduct Between Faculty and Students**

#### *A Statement by the Faculty Senate and the Academic Council*

Because those who teach are entrusted with guiding students, judging their work, assigning grades for papers and courses, and recommending students to colleagues, instructors are in a delicate relationship of trust and power. This relationship must not be jeopardized by possible doubt of intent, fairness of professional judgment, or the appearance to other students of favoritism.

One of the unstated tenets of the teaching profession indicating the commitment of its membership to a climate free from sexual harassment is the view that it is unwise and inappropriate for faculty who have or have had romantic relations with students to:

- a. teach such students in a class,
- b. supervise them in research or graduate work, or
- c. recommend them for fellowships, awards, or employment.

Prudence and the best interest of the students dictate that in such circumstances of romantic involvement, the student(s) should be aided to find other instructional or supervisory arrangements.

Faculty should keep in mind that initial consent to a romantic relationship does not preclude a charge of sexual harassment in the future.

05/04/87; 07/91; 03/06/08

## **2.2 Evaluation and Professional Development for Tenured, Tenure-Track and Non-Tenurable Faculty Clinical and Research Faculty**

### **2.2.1 ETSU Faculty Reporting and Evaluation Process**

East Tennessee State University implements an annual reporting and evaluation process for all tenure-track, tenured, and non-tenurable clinical and research faculty, including department chairs. After each academic year, the faculty member submits a report that includes the following items:

- A description and documentation of the teaching, research/creative activities, service activities, and administrative activities in which s/he has engaged for that year,
- A report of professional development activities for that year and how they have contributed to enhanced effectiveness in the areas of teaching, scholarship, service, or administration,
- A self-evaluation and
- Proposed professional development activities for the coming year.

Faculty members throughout the university are expected to submit the required information at the designated time and in the university's standard, designated format. Some departments or colleges may require additional information.

Department chairs and deans use the report of the faculty member's activities, the faculty member's self-evaluation, the results of Student Assessment of Instruction, and other appropriate sources of information to assess each faculty member's professional performance. An important part of the evaluation process, according to Tennessee Board of Regents and ETSU policy, is appraisal of progress toward tenure for individuals on tenure track appointments. Compliance with these policies is accomplished in part by department chair and dean's responses regarding progress toward tenure in the annual evaluation of faculty. Additionally, department chairs and deans should also comment on progress toward promotion when appropriate.

The faculty evaluation process culminates with an individual conference between the department chair and each faculty member or between the department chair and dean. The professional development plan for the coming year will be approved in consultation with the department chair or dean. During the evaluation process, the department chair or dean may add professional development or improvement objective(s). These objectives are to be considered important directions for the faculty member, especially for tenure, promotion, and merit pay considerations. These recommended professional development objectives will be included as part of the faculty member's professional development plan and report for the next academic year.

The department chair forwards the results of her/his evaluation of the faculty member's performance for the year and the results of the department chair/faculty evaluation conference to the college dean. After reviewing the documents and the results of the department chair/faculty conference, the college dean adds her or his assessment of the faculty member's performance with comments or suggestions.

### **2.2.2 Guidelines for Evaluation of Faculty**

In evaluating the activities of a tenure-track faculty member or one eligible for promotion, the department chair and dean should refer to the discussions of teaching, research/creative activity, and service that appear in the tenure and promotion sections of the ETSU Faculty

Handbook and in the department's supplementary criteria for tenure and promotion. In evaluating the activities of a faculty member who has been awarded tenure and promoted to professor or who is otherwise not eligible for tenure or promotion, the department chair and dean should assess the faculty member's continued productivity in teaching, research/creative activity, and service as appropriate to his/her workload assignments and professional development plan.

Upon completion of the post-evaluation conference between a faculty member and department chair, the faculty member may request a meeting with the dean to review the department chair's evaluation and/or may submit additional information for the dean's consideration. Such a request must be made in writing within one week of the completion of the post-evaluation conference. Having reviewed the faculty member's activities report and met with the faculty member and the department chair, the dean will write her or his evaluation of the faculty member's performance.

### **2.2.3 Action if a Faculty Member Refuses or Fails to Make Adequate Progress**

If a tenured, tenure-track, or non-tenurable clinical or research faculty member, judged to be performing below her or his department or college's professional standards, refuses to engage in self-generated or recommended self-improvement efforts or fails to demonstrate adequate progress on an approved plan, appropriate action will be taken. Actions may include, but are not limited to, implementation of the procedures for termination of tenured faculty as stipulated in the ETSU Faculty Handbook or contract non-renewal.

10/24/96; 02/18/07

## **2.3 Policy on Academic Tenure**

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 appointment year as defined in the employee's contract until retirement or dismissal for adequate cause, financial exigency, or curricular reasons, as further discussed herein.

### **2.3.1 Definitions**

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

#### **2.3.1.1 Academic Tenure**

Tenure is a personnel status in an academic department or other 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.

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 other 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 Tennessee Board of Regents does not award tenure in non-faculty positions. Tenure appointments reside in the departments and other academic program units, and are assurances of continued employment during the appointment year subject to expiration, relinquishment, or terminations of tenure as set out in Sections 2.3.11, 12, 13, 14, and 16. 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 TBR Policy 5:02:03:60.

Tenure is awarded only by positive action of the Board, pursuant to the requirements and procedures of this policy, at a specific university. 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.

#### **2.3.1.2 Faculty Member**

A faculty member is a full-time employee who holds academic rank as instructor, assistant professor, assistant clinical or research professor, associate professor, associate clinical or

research professor, professor, or clinical or research professor.

### **2.3.1.3 Probationary Employment**

Probationary employment is a period of full-time professional service by a faculty member for whom an appointment letter denotes a tenure-track appointment in which he/she does not have tenure and in which he/she is evaluated by the university for the purpose of determining his/her satisfaction of the criteria for a recommendation for tenure.

### **2.3.1.4 Faculty Appointments**

Faculty appointments are defined in section 2.3.3.

### **2.3.1.5 Adequate Cause**

Adequate cause is 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 2.3.16.

### **2.3.1.6 Financial Exigency**

Financial exigency is the formal declaration by the Tennessee Board of Regents 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.

### **2.3.1.7 Vice President**

The term vice president shall be construed to mean either the vice president for academic affairs or the vice president for health affairs, depending on the action(s) or individual(s) involved.

## **2.3.2 Minimum Eligibility Requirements for Consideration for Academic Tenure**

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 that rank as specified in university policy and TBR Policy 5:02:03:60; (b) have been employed pursuant to tenure-track appointments and have completed the probationary period of service as stated in policy 2.3.4 and/or as agreed upon in writing and signed by the appropriate academic officer; and (c) have been determined by the university to meet the criteria for recommendation for tenure and have been so recommended pursuant to this policy.

Faculty holding temporary appointments are not eligible for tenure.

Faculty holding clinical or research appointments are not eligible for tenure, provided, however, that under certain circumstances, such appointments may be converted to tenure track appointments as discussed in TBR policy 5:02:07:10 on faculty appointments.

Faculty members supported in whole or in part by funds available to the university 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 university upon the recommendation of tenure to the Board.

No faculty member shall be eligible for tenure unless the employee's contract specifies his/her tenure-track status; provided that where a faculty member with tenure is appointed to an administrative position, he/she will retain tenure in a former faculty position only; and provided further that a faculty member otherwise eligible for tenure who also holds a non-faculty position may be awarded tenure in the faculty position only, subject to the requirements of this policy.

### **2.3.3 Types of Faculty Appointments**

TBR Policy 5:02:07:10 defines the following types of faculty appointments:

#### **2.3.3.1 Temporary Appointments**

Temporary appointments are appointments for a specific purpose for a time appropriate to that purpose or for an unspecified period, which appointments may be terminated according to the terms of the contract of employment or appointment. Temporary appointments ordinarily should be used only for lecturers, adjunct or part-time faculty, faculty employed to replace regular faculty on leave of absence, and faculty employed pursuant to grants or for projects funded in whole or in part by non-appropriated funds. In addition, temporary appointments may be used for faculty employed on the basis of state appropriated funds in departments, divisions, or other academic units where the permanent and continued need for the position has not been established, provided that such appointments normally should not be in excess of three academic years. After that, the position can be re-advertised, and the instructor can apply again and be hired if he/she is the best candidate. Appointments of faculty members supported by more than fifty percent (50%) grant funds or other soft money sources, may be approved by the university presidents for periods in excess of three years. Other extensions of temporary appointments for periods in excess of three (3) years require the approval of the Chancellor.

#### **2.3.3.2 Tenure-Track Appointments**

Tenure-track appointments are appointments for regular full-time faculty with academic rank and may be for the academic or fiscal year. Tenure-track appointments are for faculty who are employed in a probationary period of employment prior to consideration for tenure. Tenure-track appointments shall not include any right to permanent or continuous employment, shall not create any manner of legal right, interest, or expectancy of renewal or any other type of appointment, and shall be subject to annual renewal by the institution.

#### **2.3.3.3 Tenure Appointments**

Tenure appointments are appointments of full-time faculty who have been awarded tenure by the Board pursuant to the provisions of this policy. To protect academic freedom, tenure appointments include the assurance of continued employment for the appointment year for an indefinite period, subject to expiration, relinquishment, or termination of tenure as hereinafter provided. Such appointments do not include assurance of continued employment at any specified salary, position, or employment during summer sessions or intersessions.

### **2.3.3.4 Clinical-Track Appointments**

Clinical-track appointments (a) are full-time faculty appointments, (b) are non-tenurable appointments for a fixed term, (c) are renewable, (d) permit promotion in rank, and (e) permit conversion of the appointment to tenure-track at any time prior to but not later than the expiration of the first three-year term, depending on funding availability and faculty performance. In instances where the appointment is converted to tenure-track, the three (3) years served in the clinical-track appointment, at the discretion of the president, may be credited toward the individual's probationary status. Faculty in this classification participate in the academic programs by providing professional services, by exposing students to their professional expertise, and by directing students' educational experiences in clinical/professional settings where the faculty members practice. Clinical-track appointments may be supported, in whole or in part, by appropriated funds or funding from grants or contracts, from clinical practice or clinical/professional facilities, or from other sources.

#### **2.3.3.4.1 Convertible and Non-convertible Clinical-Track Appointments**

A college, academic department or other academic program unit seeking to fill a particular clinical-track appointment may indicate the position is potentially convertible to a tenure track appointment (convertible clinical-track appointment). Convertible clinical-track appointments permit conversion of the appointment to tenure-track at any time prior to but no later than the expiration of the first three-year term, depending on funding availability and faculty performance. Convertible clinical-track appointments must follow the search process as defined for tenure-track appointments. Convertible track appointments not converted within the three year period, as defined above, automatically revert to Non-convertible clinical-track appointments. Unless specifically identified as convertible, all clinical-track appointments are non-convertible.

### **2.3.3.5 Research-Track Appointments**

Research-track appointments (a) are full-time faculty appointments, (b) are non-tenurable for fixed terms, (c) are renewable, (d) permit promotion in rank and (e) permit conversion of the appointment to tenure track at any time prior to but no later than the expiration of the first three-year term, depending on funding availability and faculty performance. In instances where the appointment is converted to tenure-track, the three (3) years served in the Research-track appointment, at the discretion of the president, may be credited toward the individual's probationary status. Faculty in this classification participate in the academic programs by conducting independent research projects and by mentoring students involved in the research process. Research-track appointments may be supported, in whole or in part, by appropriated funds or funding from grants or contracts, or other sources.

#### **2.3.3.5.1 Convertible and Non-convertible Research-Track Appointments**

A college, academic department or other academic program unit seeking to fill a particular research-track appointment may indicate the position is potentially convertible to a tenure track appointment (convertible research-track appointment). Convertible research-track appointments permit conversion of the appointment to tenure-track at any time prior to but no later than the expiration of the first three-year term, depending on funding availability and faculty performance. Convertible research-track appointments must follow the search process as defined for tenure-track appointments. Convertible track appointments not converted within the three year period, as defined above, automatically revert to Non-

convertible research-track appointments. Unless specifically identified as convertible, all research-track appointments are non-convertible.

### **2.3.3.5 Coordinator Appointments**

Coordinator appointments are non-tenurable, renewable appointments for fixed terms. Coordinators teach and provide administrative services within the academic departments. They devote a preponderance of their time to faculty responsibilities including, but not limited to, teaching, advising, and student mentoring. Coordinators may also have responsibility for administering special academic projects, systems support, and other administrative services.

### **2.3.4 Probationary Employment**

#### **2.3.4.1 Length of Probationary Period and Timing of Application for Tenure**

Probationary faculty may be employed on annual tenure-track appointments for a probationary period which may not exceed six (6) years, this being the normal length of time required to develop a substantial record in teaching, research and service.

In light of the four-year phase-in period for Board of Regents policy 5:02:03:60, the time when a faculty member may apply for tenure is determined by when his or her full-time, tenure-track employment began at ETSU:

(A) Faculty whose employment began prior to July 1, 2004, may apply for tenure following a probationary period of not less than four years (so that the recommendation for tenure, if granted, would occur upon completion of five years).

(B) Faculty whose employment began after July 1, 2004, may apply for tenure following a probationary period of not less than five years (so that the recommendation for tenure, if granted, would occur upon completion of six years).

Item (B) will be applicable to all tenure action taken on or subsequent to July 1, 2008, for faculty whose employment began prior to July 1, 2004.

Under (A) or (B) 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.

As described in section 2.3.6.1, when a faculty member on a tenure-track appointment completes the probationary period and is not recommended for tenure by the president, he or she will be given notice of non-renewal of the appointment and will receive a terminal contract for the seventh year of employment.

If a faculty member wishes to apply for tenure earlier than the completion of the minimum probationary period, he or she must so notify the department chair, in writing, no later than May 15 prior to the fall term in which the application will be made. The faculty member should include in this statement of intent a brief summary of the special circumstances that the faculty member thinks warrant awarding tenure earlier than the completion of the minimum probationary period.

A faculty member may apply for tenure earlier than the completion of the minimum probationary period only once. An application occurs when the candidate has uploaded the "Supporting Document." The candidate may withdraw the tenure materials from further consideration at any point in the tenure review process, as described in section 2.3.18.22, but even if they are withdrawn, this constitutes an application.

If a faculty member applies for tenure earlier than the completion of the minimum probationary period and is not awarded tenure, this does not preclude the faculty member's right to apply for tenure upon completion of the minimum probationary period. If tenure is not awarded in an early application, this does not extend the probationary period beyond six years.

#### **2.3.4.2 Calculating the Probationary Period**

Employment during summer terms, in part-time positions, or during periods of leaves of absence (except in the circumstance described in this section), shall not be credited toward satisfying 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. 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. Leaves of absence may not be granted retroactively. A faculty member may apply for a maximum of two (2) leaves of absence in one-year increments so long as the total probationary period (not including the leaves of absence) 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. See Personnel Policy Manual, PPP-21, for more information.

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 other 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. The department or division in which the faculty member would otherwise be employed must still initiate the tenure action.

Where a faculty member is serving a probationary period in a department or other academic program unit and is subsequently transferred to another department or academic program unit, the faculty member may—with the written 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 2.3.4.1 above).

#### **2.3.4.3 Credit for Prior Service**

The minimum probationary period may include credit for prior service when agreed to by the president and subject to the maximum permissible credit for prior service.

#### **2.3.4.3.1 Prior Service at Other Universities**

Credit toward completion of the probationary period may at the discretion of the president be given for a maximum of three of 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. Any credit for prior service that is recognized and agreed to must be confirmed in writing at the time of the initial appointment.

#### **2.3.4.3.2 Prior Service at ETSU**

Credit toward completion of the probation period may, at the discretion of the president, be given for a maximum of three years or previous full-time service in a temporary faculty appointment or term 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. 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.

#### **2.3.4.3.3 Requests to Decrease Credit for Prior Service**

If a faculty member who received credit for prior service upon his or her appointment to a tenure-track position at the university wishes to decrease credit given for prior service and increase the number of appointment years at ETSU required for the probationary period, he or she must submit this request in writing to the chair of the academic department no later than May 15 of the final year of the minimum probationary period (calculated including the credit for prior service). Such requests can only occur upon the approval of the president of the university. Any approved reduction in credit for prior service must be in writing.

#### **2.3.4.4 Stopping the Tenure Clock**

##### **2.3.4.4.1 Definition**

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.

##### **2.3.4.4.2 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 in writing to the department chair for consideration and recommendation. The request must be submitted no later than three (3) months after the conclusion of the period in which the clock is to be stopped. The chair'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.

### **2.3.5 Pre-Tenure Mentoring of Faculty**

Each department and college should establish procedures that enhance communication with probationary faculty members concerning factors that may impact their candidacy (e.g., bona fide weighting of criteria, appropriate standards, approved staffing plans, curricular changes, accreditation issues, enrollment patterns, etc.). These procedures may include pre-tenure reviews conducted by academic departments or other academic units during the third year of the probationary period. It is the explicit responsibility of chairs and deans to establish formal protocols or by other means to keep tenure-track faculty apprised of their progress toward tenure by thorough evaluations and appropriate mentoring.

### **2.3.6 Non-Renewal of Non-Tenured Faculty**

#### **2.3.6.1 General Timeline**

When tenure-track appointments of faculty are not to be renewed for further service, the faculty member shall receive notice of this as follows:

- a. Not later than April 1 of the full first appointment year, if the appointment expires at the end of that year; or, if the appointment terminates during an appointment year, at least three months in advance of its termination;
- b. Not later than January 1 of the second full appointment year, if the appointment expires at the end of that year; or, if the appointment terminates during an appointment year, at least six months in advance of its termination;
- c. Not later than the close of the appointment year preceding the third or subsequent full year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an appointment year, at least twelve months in advance of its termination.

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 a terminal contract for the seventh year. Notice of the terminal contract should be given

not later than the final day of the appointment year. The faculty member's right in an instance where timely notice is not given is described in section 2.3.10.

If a faculty member applies for tenure earlier than the completion of the minimum probationary period and is not awarded tenure, this does not preclude the faculty member's right to apply for tenure upon completion of the minimum probationary period. If tenure is not awarded in an early application, this does not extend the probationary period beyond six years.

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.

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.

Unless there is a violation of state or federal law under the limitations described in the TBR Policy on Appeals (1:02:11:00), 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 fifth year of the probationary period.

### **2.3.6.2 Appeals Process**

Opportunities for appeal of negative recommendations exist for the non-tenured faculty member at the dean's or vice president's level and again at the president's level prior to a review of the latter's decision by the Board of Regents.

Two appeal opportunities follow the dean's action and precede that of the president. The candidate may opt to utilize either one, but not both, of these opportunities. Should the dean opt not to recommend in favor of tenure, the candidate may request a pre-appeal conference with the vice president. Should the vice president choose not to recommend for tenure and the candidate has not appealed following the dean's decision, the candidate may request a pre-appeal conference with the president. In either event the pre-appeal conference must be requested within seven days of receiving written notice of the negative recommendation.

After the pre-appeals conference, if the candidate has decided to proceed with the appeal, s/he must file an appeal in writing with the university Promotion and Tenure Appeals Committee within one week or forfeit the right to appeal at that level. When the appeal goes forward, the vice president will submit the candidate's complete application to the chair of the university Promotion and Tenure Appeals Committee. The committee shall review information relevant to each appeal in accordance with procedures developed by the committee for all such appeals and incorporate its recommendations as a part of each candidate's application to be returned to the vice president or the president for consideration.

Within seven days of receiving, in writing, the vice president's recommendation, the candidate may request a pre-appeal conference with the president. If, during the course of that conference, the candidate feels justified in requesting a formal hearing of the appeal, he/she may request that the university Promotion and Tenure Appeals Committee hear that appeal. Within one week of the pre-appeal conference the candidate must file a written

request with the committee's chair. Upon request by the committee's chair, the president will submit the candidate's complete tenure application to the committee.

The committee will review information relevant to the appeal according to procedures developed by the committee for all such appeals and will incorporate its recommendations as a part of the candidate's application, which is then returned to the president for his/her consideration. The committee will also send a copy of its recommendation(s) to the candidate, the department chair, the dean and the appropriate vice president.

In the event the university Promotion and Tenure Appeals Committee makes a recommendation regarding tenure and/or promotion, the president or vice president will inform the chair of the committee in writing of the final decision and its rationale.

The University Promotion and Tenure Appeals Committee (PTAC) will be composed of one faculty senator elected by the Senate who will chair the committee, and one member from each college or school who was not a member of that body's promotion and tenure committee when the candidate's application was evaluated, as selected by the faculty senators from that college or school. The college/school senators will also designate two alternates from their college/school who would be available to serve if the primary designee is ineligible or unavailable to serve. If the college/school senators fail to designate a committee member and alternates, or if those designated are ineligible or unavailable to serve, then the Faculty Senate President and the PTAC Chair will jointly select a faculty member from that college/school to serve. Terms of appointment shall be for two-year staggered terms with the exception of the committee chair who will serve only a one year term. All members of the PTAC will be tenured and will hold professorial rank. Deans, department chairs, and other administrative personnel directly involved in college or school-level promotion decisions (such as associate or assistant deans) are excluded from membership on this committee. No member of the PTAC shall have participated in the review of the candidate's application at any previous level.

If the candidate previously appealed a negative recommendation to the university Promotion and Tenure Appeals Committee at either the dean's or vice president's level and wishes to appeal a negative recommendation by the president, an ad hoc Promotion and Tenure Appeals Committee will be formed comprised of three persons appointed by the Faculty Senate and three by the president. These persons must be tenured and hold professorial rank. They will follow the same procedure outlined in 2.3.6.2 for the university Promotion and Tenure Appeals Committee.

If it should be proposed to dismiss for cause a non-tenured faculty member prior to the expiration of a term appointment, exactly the same procedures will be followed as are prescribed subsequently for the termination of a tenured faculty member.

### **2.3.7 Criteria to be Considered in Tenure Recommendations**

The following are general criteria to be employed in considering the recommendation of a faculty member for tenure. This list is not exhaustive and the selection and relative importance of these criteria will vary with the nature and mission of the department or division in which the faculty member is employed. Specific criteria to be applied to the work of an individual faculty member will be clearly delineated on annual faculty activity plans, reports and evaluations.

- a. Teaching effectiveness.
- b. Effectiveness in other academic assignments.

- c. Research, scholarly and creative activity.
- d. Professional degrees, awards, and achievements.
- e. Staffing needs of the department or division and the institution.
- f. Service of a professional nature to the institution, the community and the State.
- g. Activities, membership, and leadership in professional organizations.
- h. Demonstrated potential for continuing professional growth; and for contribution to the objectives of the department or division and the institution.
- i. 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.

A department or college may weigh criteria to be considered in tenure recommendations and should establish appropriate standards within criteria for the distinctive discipline(s) and the level(s) of program(s) it embodies. If such weighted criteria and standards for tenure are to be applied to candidates, they should be carefully documented in approved unit mission statements and policies. Those documents become bona fide only when (1) they have been considered by faculty in those units, (2) they have gained approval by the university as official college or departmental mission statements and related policies that are consistent with University mission and policy, and (3) they have been communicated in publications or in other written form (including the Web) to faculty affected by them. Bona fide documents are maintained as public information in the offices of appropriate department chairs and deans, the Vice President for Academic Affairs or the Vice President for Health Affairs, and the Faculty Senate.

### **2.3.8 Criteria for Assessing Merit of the Candidate**

#### **2.3.8.1 Overview**

All candidates for tenure should demonstrate teaching effectiveness and be fully engaged in other academic assignments commensurate with their respective faculty roles. In addition, they should demonstrate achievements in service and in research, scholarly and creative activity that are consistent with approved departmental and college/school criteria. The relative importance given to these criteria may differ according to the discipline, department, and assigned duties of individual candidates, as delineated in annual faculty activity plans, reports and evaluations.

#### **2.3.8.2 Teaching**

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. 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, either formal or informal.

The teaching portfolio should include, but is not limited to, evidence of teaching excellence as follows: command of the subject matter; 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: a statement of teaching philosophy; course materials; student evaluations for at least eight courses, wherever possible, or for every course evaluated during the probationary period, if

this number is greater, as described in section 2.3.18.7; results of peer evaluations of teaching, as described in section 2.3.18.8; and evidence of supervision of student projects and other forms of student mentorships. 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; 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.

Evidence of effectiveness in academic assignments other than classroom teaching shall include materials and information that are pertinent to the assignment in question.

### **2.3.8.3 Professional Service**

Evidence of the candidate's contributions in the area of professional service should be offered by the candidate. Documentation of all service activities is required.

Professional service encompasses a faculty member's activities in one of three areas: outreach or public service, university service, and professional service.

a. The outreach or public service function is the university's outreach to the community and society at large, with major emphasis on the application of knowledge for the solution of problems with which society is confronted. Outreach primarily involves sharing professional expertise and should directly support the goals and mission of the university. A vital component of the university's mission, public service must be performed at the same high levels of quality that characterize the teaching and research programs.

b. 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.

c. Professional service refers to the work done for organizations related to one's discipline or to the teaching profession generally. Service to the profession includes association leadership, journal editorships, article and grant proposal review, guest lecturing on other campuses, and other appropriate activities. Significant professional service requires more than organizational membership and attendance. Examples of significant service include that done by an officer of a professional organization or a member of the editorial staff of a journal.

### **2.3.8.4 Research, Scholarship, and Creative Activities**

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 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.

Clear evidence of the quality of work should accompany each application. Evidence supplied by the candidate might include records of the following:

- a. Publications: These include textbooks, books or chapters in books, articles in refereed journals, articles in non-refereed journals, monographs, refereed and non-refereed conference proceedings, book reviews, and other related items.
- b. Papers presented: These include those papers presented at local, state, regional, national, and international professional meetings. The significance of content and selection process should be considered in the process of reviewing such presentations.
- c. Performance or exhibitions: These include performances or exhibitions that are invited or juried by nationally or regionally recognized members or groups within the discipline.
- d. Research in progress: Verification of stages of development is mandatory.
- e. Other items such as funded or unfunded research proposals, computer software development, or audio-visual media may also be considered.

#### **2.3.8.5 Other Factors for Consideration**

- a. Candidates should present evidence of continuing professional development. Much of that evidence will be submitted in the sections on teaching, service, research, and scholarly and creative activity as indicated above. Additional evidence related to professional growth may include courses taken for credit, courses audited, seminars attended, and independent study activities.
- b. The candidate should present evidence, in the annual faculty review process, of contributions to institutional as well as to individually established goals in teaching, research, creative and scholarly activities, and service. The quality of the candidate's contributions, however, will be of greater importance than the adherence of those contributions to objectives. Revised 12/01

#### **2.3.9 Criteria for Assessing the Long-Term Staffing Needs of the Department/Division and the University**

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

- a. Enrollment patterns.
- b. Program changes.
- c. Potential for staff additions.
- d. Prospective retirements and resignations.

Long term departmental and/or college staffing needs should be documented in approved staffing plans that are reviewed and, if necessary, updated annually in light of changes reflected in those criteria cited in 2.3.9. The use of a plan as a factor in tenure consideration is only appropriate after the university approves it. Approved plans should reflect thorough review at the departmental and college levels and, after approval, should be maintained as public information in offices of appropriate department chairs and deans and the Vice President for Academic Affairs or the Vice President for Health Affairs. Approved staffing plans will be made available on request to the Faculty Senate.

### **2.3.10 Tenure Appointments**

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.

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.

### **2.3.11 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.

### **2.3.12 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.

### **2.3.13 Termination of Tenure for Reasons of Financial Exigency**

A tenured faculty member may be terminated as a result of financial exigency at East Tennessee State 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).

### **2.3.14 Termination of Tenure for Curricular Reasons**

#### **2.3.14.1**

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 Faculty Senate 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 orally or in writing—a description of curricular reasons that may warrant the termination of tenured faculty member(s). 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 2.3.14.7).

#### **2.3.14.2**

The president, upon determining that curricular reasons may warrant the termination of tenured positions, shall so inform the executive committee of the Faculty Senate. At the earliest possible date after said notification, as agreed to by the president and the Executive Committee, the president or his/her designee shall appear before the Senate for the purpose of presenting all relevant information. Senators and affected unit members shall have an opportunity to pose questions and seek further information. The Faculty Senate shall respond, in writing, within thirty (30) days of this meeting.

#### **2.3.14.3**

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 in and upon which the decision to terminate 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.

#### **2.3.14.4**

If the faculty member(s) to be terminated indicates objections to the president's written statement(s) and request(s) a review, the president will appoint a faculty committee consisting of a minimum of five tenured faculty members from a slate of ten tenured faculty members proposed by the Faculty Senate. That committee shall conduct a hearing on the proposed termination(s). The committee shall then report its findings and recommendations to the president, who shall in a reasonable time inform in writing the faculty member(s) proposed for termination either that the decision for termination stands or that it has been altered.

#### **2.3.14.5**

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).

#### **2.3.14.6**

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 that would have been awarded during the period that s/he was not employed).

#### **2.3.14.7**

Upon determining that termination of one or more tenured faculty members is warranted for curricular reasons, the president shall base a decision about which faculty member(s) should be terminated upon an assessment as to what action would least seriously compromise the educational programs in a department or division. Termination for curricular reasons presumes a staffing pattern in a department or division that cannot be warranted either by comparison with general load practices within the institution or by comparison with faculty loads in comparable departments or divisions at similar institutions. In that light, the president shall also, in his/her discretion, base a decision on a careful assessment of the impact of the curricular reason on staffing requirements in the division or department as compared to overall patterns in the institution and to comparable departments or divisions in institutions similar to ETSU.

#### **2.3.14.8**

Unless the president demonstrates (preferably by means of past performance evaluations) that an exception should be made to protect the quality of an educational program, the following considerations should guide—but not be construed as mandatory—in determining the order of faculty reductions in a department or division where termination of tenured faculty is proposed for curricular reasons:

- a. Part-time faculty within a department or division should not be hired or renewed before tenured faculty are terminated.
- b. Temporary faculty or tenure-track faculty in the probationary period should not be renewed before tenured faculty are terminated.
- c. Among tenured faculty those with higher rank should have priority over those with lower rank.
- d. Among tenured faculty with comparable rank, those with appropriate higher academic degree(s) should have priority over those with lower degrees.
- e. Among tenured faculty with comparable rank and degrees, those with greater seniority in rank should normally have priority over those with less seniority.

### **2.3.14.9 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 institution as a whole and that such reduction has resulted in faculty-student ratios that, in the opinion of the president, cannot be warranted either by comparison with equivalent faculty load practices within the university or by comparisons with faculty loads in comparable departments or divisions at similar institutions which the president would deem to be appropriate for comparison.

When a tenured faculty member is to be terminated for curricular reasons, the president will make every possible effort to relocate that faculty member in another existing vacant position for which s/he is qualified. In instances where, in the opinion of the president, relocation within the institution is a viable alternative, the institution has an obligation to make significant effort to relocate the faculty member, including the bearing of reasonable retraining costs. The final decision on relocation is within the discretion of the president.

When relocation within the institution is not possible, or the faculty member involved desires to go elsewhere, every reasonable effort will be made to assist in said relocation.

### **2.3.15 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.

### **2.3.16 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:

- a. Incompetence or dishonesty in teaching or research.
- b. Willful failure to perform the duties and responsibilities for which the faculty member was employed or refusal or continued failure to comply with the policies of the Board, the university or the department, or to carry out specific assignments, when such policies or assignments are reasonable and non-discriminatory.
- c. Conviction of a felony or a crime involving moral turpitude.
- d. Improper use of narcotics or intoxicants, which substantially impairs the faculty member's fulfillment of his/her departmental and university duties and responsibilities.
- e. Capricious disregard of accepted standards of professional conduct.

f. Falsification of information on an employment application or other information concerning qualifications for a position.

g. 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.

### **2.3.17 Procedures for Termination for Adequate Cause**

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

#### **2.3.17.1**

The proposed termination will be preceded by discussion between the faculty member and appropriate administrative officers in an attempt to reach a mutually agreeable settlement. In the event that a mutually agreeable settlement cannot be achieved the president shall appoint an informal inquiry committee consisting of five tenured faculty members.

#### **2.3.17.2**

Although not mandatory, every attempt shall be made to appoint committee members acceptable to the faculty member concerned. This committee shall attempt to arrange a mutually agreeable settlement between the various parties. Failing in this, the committee shall render a recommendation to the president concerning the desirability of initiating formal dismissal proceedings. This recommendation shall not be binding upon the president.

#### **2.3.17.3**

A dismissal will be preceded by a written statement of reasons, and the faculty member concerned will have the right to be heard by a hearing committee consisting of members of the faculty and administration (and not including any member of the faculty committee referred to in the preceding paragraph). This hearing committee shall consist of seven members appointed jointly by the presidents of the university and the Faculty Senate. The president of the university shall appoint one of the seven to chair the committee. The committee shall, at its first meeting, determine its own rules and procedures not otherwise specified in this document.

#### **2.3.17.4**

Any party to the case has the right to challenge hearing committee members for cause. In the event of such challenges, replacement members will be chosen in the manner specified in Section 2.3.17.3.

#### **2.3.17.5**

Pending a final recommendation by the hearing committee, the faculty member will be suspended or assigned to other duties in lieu of suspension only if the president determines that immediate harm to the faculty member him or her self or others or significant disruption to any university operation is threatened by continuance. Before suspending a faculty member, pending an ultimate determination of his/her status through the institution's hearing procedures, the administration will consult with the faculty committee

referred to in Section 2.3.17.3. concerning the propriety, the length, and the other conditions of the suspension. Suspension is appropriate only pending a hearing. Salary will continue during the period of suspension.

#### **2.3.17.6**

The hearing committee may, with the consent of the parties concerned, hold joint pre-hearing meetings with the parties to define and clarify the issues, effect stipulations of facts, provide for the exchange of documentary or other information, and achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.

#### **2.3.17.7**

Service of notice of hearing, with a statement of the time and place of the hearing and with specific charges in writing, will be made at least twenty (20) days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause, the hearing tribunal will evaluate all available evidence and base its recommendation upon the evidence in the record.

#### **2.3.17.8**

During the proceedings the faculty member will be permitted to have an advisor and/or counsel of his or her choice. This advisor or counselor may be present during the hearing but may not participate.

#### **2.3.17.9**

A court reporter will transcribe the hearing or hearings and, at the faculty member's request, a transcript will be made available without cost to the faculty member.

#### **2.3.17.10**

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

#### **2.3.17.11**

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

#### **2.3.17.12**

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.

#### **2.3.17.13**

In the hearing of charges of incompetence, the testimony may include that of qualified faculty members from East Tennessee State University and other institutions of higher education.

#### **2.3.17.14**

The hearing committee will not be bound by strict rules of legal evidence, and may admit any evidence which is of value in determining the issues involved. The committee will seek to obtain the most reliable evidence available.

#### **2.3.17.15**

Except for such simple announcements as may be required concerning the time of the hearing and similar matters, public statements and publicity about the case by the faculty member, members of the hearing committee, or administrative officers will be avoided until the proceedings have been completed, including consideration by the Board. The president and the faculty member will be notified of the decision in writing and will be given copies of the record of the hearing.

#### **2.3.17.16**

If the hearing committee concludes that adequate cause for dismissal has been established by the evidence in the record, the faculty member may appeal that decision to the president within ten days. The hearing committee may recommend to the president, with supporting reasons, that a penalty other than dismissal would be more appropriate. If the hearing committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the president, who may reject the report with a written statement of reasons. Any decision by the president may be appealed to the Board within twenty calendar days of the decision pursuant to the following subsection:

a. If dismissal or other severe sanction is recommended, the president will, on request of the faculty member, transmit to the chancellor the record of the case. The review of the record by the Board or its designee will be based on the record of the committee hearing, and will provide for written argument by the principals or by their representatives. The decision of the president will either be sustained, or the proceeding returned to the president with specific objections. The president will then reconsider, taking into account the stated objections, and return the case to the hearing committee if necessary. The Board or its designee will make a final decision only after study of the president's reconsideration.

b. If the president determines that adequate cause for dismissal, or other lesser sanctions, has not been established the hearing record will be expunged.

### **2.3.18 Initiation and Processing of Tenure Recommendations**

The formulation of recommendations concerning the tenure of a faculty member is a cumulative process occurring at three levels—department/division, college, and executive or presidential. The faculty member eligible for consideration also has a significant role by assuming responsibility for timely submission of pertinent materials to the department chair for review at each level.

#### **2.3.18.1**

The director of personnel, by May 1st of each year, shall provide department chairs, deans, the appropriate vice president, and the president with lists of faculty members eligible for tenure through length of service. The action by the director of personnel does not relieve the department chairs of the responsibility of determining eligibility for tenure.

#### **2.3.18.2**

Department chairs, during the succeeding 15 days, will verify the lists through departmental and other administrative office.

#### **2.3.18.3**

By May 15 each faculty member eligible for tenure shall be so notified in writing by the department chair. A department chair may initiate a tenure recommendation at some time other than the annual review; but unless there is special need for earlier processing, subsequent steps will be taken according to the established schedule during the annual review.

#### **2.3.18.4**

Applications will be completed by each faculty member applying for tenure. These applications will be submitted no later than September 15. All tenure applications must be complete at that time. No additional documentation may be added after September 15 except at the request of the reviewers and with the permission of the candidate, or vice versa. Candidates applying for promotion and tenure simultaneously submit one set of supporting materials.

#### **2.3.18.5**

Tenure applications will be reviewed at each level of the process. It is expected that each level of review is independent of prior judgment and documentation. At each level in the process, the cumulative recommendations and statements of rationale recorded by committees and administrators will be forwarded as integral parts of each candidate's application. Each reviewing official or committee has the responsibility to remand an application to any preceding level if that level's review is found to be incomplete or otherwise unacceptable. All peer committees have qualified privilege of academic confidentiality against disclosure of individual tenure votes unless there is evidence that casts doubt upon the integrity of the peer committee.

#### **2.3.18.6**

In some cases, such as small departments or unique fields of study, outside expertise may also be necessary in the evaluation process. The chair and the candidate must agree on the individual(s) selected from departments or institutions other than the candidate's own. All tenured faculty in the candidate's department, not including the department chair, and such outside experts as are needed will meet to review the tenure application. The tenure applicant must be given at least one week's notice of such meetings and, consistent with procedures described in section 2.3.18.4, shall have the opportunity to bring to the participants' notice any material that may be helpful in determining the applicant's fitness for tenured status.

#### **2.3.18.7**

In addition to any other evidence that the candidate might choose to provide, the candidate must furnish student assessments of instruction for at least eight courses, wherever possible, or for every course evaluated during the probationary period, if this number is greater. These student assessments should be representative of a variety of classes that the candidate has taught. A university-approved assessment instrument will be used for this purpose. Student assessments must be included with all applications for tenure and will be considered as one important source of information concerning effective teaching, although not the only one.

### **2.3.18.8**

A separate peer evaluation of teaching effectiveness must also take place. This evaluation must include a review of student evaluations with consideration given to the type of courses involved. In addition, peer reviewers should assess items such as course syllabi, study materials, assignments, information on assessment and grading practices, and expectations relating to the candidate's particular teaching responsibilities. Peer reviewers should also observe the candidate's classroom teaching.

#### **2.3.18.8.1**

Departments and colleges may establish their own criteria and processes for peer evaluation of teaching and may include these in their official statements of expectations for tenure, subject to the provisions of section 2.3.7.

#### **2.3.18.8.2**

It is the obligation of candidates for tenure, with assistance from their department chairs, to ensure that their teaching is evaluated by peers as described in section 2.3.18.8 and to present in the tenure application documentation of the findings of peer evaluations.

#### **2.3.18.9**

Proposed changes in the process for student evaluation of instruction will be submitted to the ETSU Student Government Association for consideration and reaction. The SGA will review the uses of student evaluation of instruction on a regular basis and will bring its questions, concerns and suggestions to the Faculty Senate and to the Academic Council.

#### **2.3.18.10**

Complete and accurate documentation of all research, scholarly, and creative activities, including complete bibliographic listings of publications, status of journals (refereed and non-refereed), role in jointly authored articles and papers, and complete descriptions of professional service activities as outlined in Section 2.3.8 should be included in each application to provide evidence of and support for these activities. Copies of published items and other reported research and creative activities must be available for examination by reviewers.

#### **2.3.18.11**

The departmental review will be completed by a committee of tenured faculty, excluding the department chair. The review should reflect serious consideration of general university criteria, the specific criteria and types of evidence specified, any weighted criteria reflecting

appropriate standards for the discipline, and any currently documented analysis of long-term staffing needs.

#### **2.3.18.12**

After formal discussion, the committee of tenured faculty within the department will vote to recommend or not to recommend each candidate within the department. A written, composite statement explaining the recommendation shall be signed (by means that may include electronic signatures) by each reviewing faculty member and forwarded to the chair with a copy to the candidate. Included in that statement will be an explicit evaluation in each of the areas of teaching, research and creative/scholarly activity, and service. Dissenters may include their views in the committee report.

#### **2.3.18.13**

The department chair, by October 15, will forward to the school or college dean, and to the candidate his/her own decision to recommend or not recommend the candidate for tenure. Included in that recommendation will be a written rationale explaining the recommendation, with an explicit evaluation in each of the areas of teaching, research and creative/scholarly activity, and service. While the department chair's review is independent of that by the departmental committee, the chair's recommendation should be guided by consideration of the same criteria, standards, and types of evidence (see 2.3.18.11).

#### **2.3.18.14**

The chair will inform the dean of the tenured faculty members' vote. Should the chair elect to act contrary to the vote of the senior faculty, the dean or other appropriate administrative official should meet with the senior faculty of the department in question to discuss the matter. The dean or other appropriate official should also meet with the chair of the department.

#### **2.3.18.15**

All recommendations reached at the departmental level will be forwarded to the school or college on forms provided by the appropriate vice president's office.

#### **2.3.18.16**

Prior to or during the fall semester of each year, the dean of each college or school will implement procedures to establish a promotion and tenure committee. This committee shall take its membership from faculty at professorial ranks. The dean should ensure adequate representation from the tenured faculty. All members should have at least 3 years of service at ETSU. Collectively the membership should represent the various disciplines of the college or school with equal numbers appointed by the dean and elected by the faculty. At least two-thirds of the members of the committee should hold the rank of associate professor or professor. When there are not sufficient numbers of faculty within a college holding the rank of associate professor or professor to serve on the committee, the dean will request participation of faculty in other colleges. Department chairs may not serve on such committees. No person who is an applicant for promotion in a given year may be an elected or appointed member of a College/School Promotion/Tenure Committee during that year. A person who may have been elected to serve a two or three-year term, should s/he apply for promotion during that term, shall excuse her/himself from the College/School Committee in that year. In the event a replacement is needed, the

College/School will obtain a replacement on the same basis as the individual was appointed. The size of the committee should be from 6 to 14 members who shall serve staggered 2- or 3-year terms. The school or college faculty shall decide whether the committee chair shall be elected from among the members of the committee or appointed by the dean. The committee shall function in the role of advisor to the dean from October 15 until December 15 of each year. More specifically, this committee will perform the functions of review as follows:

- a. Receive and review promotion and tenure recommendations of the chairs and departmental committees for transmittal to the dean. In formulating its recommendations for or against the granting of tenure, the college committee should concentrate on the broad perspective of the college's approved mission, any bona fide weighting of criteria and standards reflecting the expectations of the applicant's academic department and/or college, approved departmental and/or college staffing plans and the department's enrollment trends.
- b. Review all applications to assure that criteria for promotion and tenure are being correctly and uniformly applied to all members of the school or college.
- c. Review the completeness of the information presented and question any omission in criteria or variations in procedure. Where discrepancies or misapplication of criteria are noted, the committee will attempt to correct the errors through direct consultation with those involved.
- d. Members of the college/school committee from a candidate's home department shall not participate in the college/school committee's discussion of the candidate or in its votes on that candidate's tenure and/or promotion.
- e. Only tenured members of the college/school committee may vote on applications for tenure.
- f. Only members of the college/school committee holding academic rank equal to or higher than that sought by a candidate may vote on that candidate's promotion.

#### **2.3.18.17**

The school/college review committee will, by December 15, forward to the dean its recommendations and a written, composite statement for each faculty member being reviewed. The use of secret or open balloting shall be decided by the college, school or division committee. These written statements will include an explicit evaluation in each of the areas of teaching, research and scholarly/creative activity, and service, and will be signed (by means that may include electronic signatures) by each committee member. Dissenters may include their views in the committee report. A copy of the committee recommendation will be forwarded to the candidate and the department chair.

#### **2.3.18.18**

The dean's recommendations, together with all written documentation, will be forwarded to the appropriate vice president by February 1. This report must also include an explicit evaluation of each candidate's record in the areas of teaching, research and scholarly/creative activity, and service. While the dean's review is independent of that by the college committee, the dean's recommendation should be guided by consideration of the same criteria, standards, and types of evidence (see 2.3.18.16).

#### **2.3.18.19**

The dean, at the time the candidate's application is forwarded to the vice president, will also notify the candidate and the department chair of his/her decision to recommend or not to recommend. The decision will be supported in writing. A copy of this written support will be provided to the candidate and the department chair. In the event of a negative recommendation, the candidate may initiate an appeal to the university Promotion and Tenure Appeals Committee.

#### **2.3.18.20**

If the vice president, in the face of prior approvals, favors disapproval of an application s/he will hold a meeting with the department chair and dean concerned prior to a final decision. The candidate, chair, and dean will be advised regarding the vice president's subsequent decision, which will be supported in writing. In the event of a negative recommendation and the candidate has not initiated an earlier appeal, the candidate may initiate an appeal to the university Promotion and Tenure Appeals Committee.

#### **2.3.18.21**

Upon reaching a decision regarding each application for tenure, the vice president will notify the dean, chair, and candidate in writing and will forward the application, together with all recommendations relevant to it, to the president by March 1.

#### **2.3.18.22**

All tenure applications initiated will be forwarded to the president regardless of the recommendation made by any intervening administrator or faculty committee; unless the candidate chooses to withdraw his/her application. Only the candidate has the right to withdraw an application that has been filed.

#### **2.3.18.23**

Final action on each tenure application will be taken by the president. When an application is approved by the president and subsequently by the chancellor and the Board of Regents, the president will notify the faculty member by letter of the award of tenure. When an application is disapproved by the president, s/he will inform the department chair, the faculty member, and other appropriate administrators in writing, stating reasons for disapproval. At this time, the candidate may appeal the president's decision (see Section 2.3.5). Appropriate administrative officers will be advised by the president of the action taken on all tenure recommendations; whether approved or disapproved.

#### **2.3.18.24**

A list of faculty members who are recommended for tenure status in any one year will be forwarded to the chancellor and to the Board of Regents. No faculty member shall be entitled to, or acquire any interest in, a tenure appointment in the university without a recommendation for tenure by the president 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 East Tennessee State University.

### **2.3.18.25**

Upon final action taken by the Board of Regents, recommendation forms will be filed in the Personnel Office.

05/04/87; 07/91; 05/92; 07/92; 09/96; 07/97 (Effective 1998-99 review cycle); 01/02;  
07/14/11; TBR 04/02/04; 02/12/09;

## **2.4 Policy on Faculty Promotion**

Promotion in rank is recognition of past achievement of the individual being considered for promotion. In addition, the advancement in rank is recognition of future potential and a sign of confidence that the individual is capable of even greater accomplishments and of assuming greater responsibilities. The policy of the Tennessee Board of Regents is to make promotions strictly on consideration of merit tempered by university and fiscal considerations. The purpose of this policy is to help ensure that promotions are made objectively, equitably, impartially, and as a recognition of merit in line with the following policy guidelines.

### **2.4.1 Principles of Promotion**

The major responsibilities of the university are to provide the best possible education, to encourage scholarship, creative productivity, and research, and to furnish significant service to the citizens of the State of Tennessee. Fundamental to this responsibility is the recruitment, selection, recognition, and retention of quality faculty members. Providing incentives and rewards for superior performance is a means of assuring the continuing existence of a high quality faculty. Advancement in rank is a recognition of accomplishments and a sign of confidence that the individual is capable of greater achievements and of assuming greater responsibilities. The policy of East Tennessee State University is to grant advancement on the basis of merit. In accord with this policy, promotions are to be made equitably, impartially, and in keeping with the following guidelines.

Each academic rank represents specific qualifications, professional competencies, and a history of productivity together with the promise of continued growth. Promotion to higher rank is neither an unqualified right nor an automatic occurrence. Having completed a given period of service or performed routine duties (such as carrying a normal course load, advising students, research to the degree needed for teaching courses, participation in departmental programs and governance, and committee service) should be considered an affirmative factor in appraising a faculty member's qualifications for promotion, though they are insufficient in and of themselves to warrant promotion.

The excellence of the faculty of East Tennessee State University is maintained in part through an appraisal of each candidate for promotion by colleagues and by appropriate administrative officers. This appraisal process must begin at the departmental level with a statement of the objectives and aims of the department, the college or school of which it is an integral part, and the university as a whole. Faculty members may be recommended for promotion to a higher academic rank based upon their demonstrated qualifications for that rank as evaluated by their peers in the department concerned, the department chair, the promotion and tenure advisory committee of the school or college, the academic dean, the vice president and the president.

The appraisal of each candidate should incorporate a thorough review of achievements which are expected in teaching; research, scholarly or creative activity; and professional service. Chairs and deans shall keep a faculty member informed of their expectations for his/her performance, including requirements for promotion and tenure. Any dramatic alterations in these expectations should be made explicit. In most circumstances, this will be accomplished by the Faculty Activity System. Specific criteria to be applied to the work of an individual faculty member will be clearly delineated on annual faculty activity plans, reports and evaluations. The department chair should submit evaluations of these

activities, accompanied by evidence obtained through an evaluation process designed to ensure that recommendations are predicated on substantive analysis.

The criteria according to which excellence is defined will vary from discipline to discipline. The standards established by each discipline should be carefully documented and considered by everyone involved in the evaluation of members of that discipline. Certain areas, such as the fine, performing and applied arts, may justifiably require different criteria than do other disciplines. In these, evidence of creative or other significant productivity may be presented. Achievements of this sort, however, should be of such quality and extent as to earn for the individual that same recognition in the discipline that significant research earns in areas of study in which research is an important factor.

Because of the importance and significance of the promotion deliberations, each faculty member must assume responsibility for insuring that pertinent information concerning teaching, research, scholarly or creative activity, and professional service is available to the chair and departmental committee. In addition to individual qualifications and performance, other special factors may also play a part in the recommendations eventually offered by the vice presidents. Consistent with the Tennessee Board of Regents' policy, the university administration must consider such matters as departmental rank distribution, potential for continued staff additions, prospective retirements and resignations from the department, enrollment patterns, and program changes or developments.

#### **2.4.1.1 Definitions**

##### **2.4.1.1.1 Teaching**

Teaching applies to any strategy in which information is imparted so that others may learn, and may include, but is not limited to, a variety of techniques including instruction, student advising and/or mentoring, development of course materials and courseware, and development of innovative approaches to instruction.

##### **2.4.1.1.2 Research/Scholarship/Creative Activities**

Research applies to the studious inquiry, examination, or discovery that contributes to disciplinary and interdisciplinary bodies of knowledge. Research/scholarship/creative activities may include, but are not limited to, disciplinary and interdisciplinary activities that focus on the boundaries of knowledge, field-based scholarship, creative activities (e.g., film-making, performances, or other artistic creations), and the development of innovative teaching approaches.

##### **2.4.1.1.3 Professional Service**

Professional service applies to involvement within the community as defined by the university's role and mission, service to the university, and service within the bounds of the applicant's academic discipline and budgeted assignment.

##### **2.4.1.1.4 Terminal Degree**

The TBR will use national discipline standards to determine which degrees are considered to be "terminal" within each discipline and will provide each university with a list that delineates these degrees. Each university may request blanket exceptions to these standards by classification based upon its mission and hiring practice. Each university may also petition the Board for "equivalent work experience credit" when a candidate has not

obtained a terminal degree, but has a record of extraordinary achievement in a given field. The equivalent work experience credit may include relevant teaching experience or other experiences such as experience gained as an administrator, counselor, librarian, journeyman, or the like.

#### **2.4.2 Rank at Appointment**

New faculty members will normally be employed, based upon their qualifications, at the rank of instructor, assistant professor, associate professor or professor.

Except under unusual circumstances, individuals lacking the terminal degree, as defined by discipline, will not be hired in one of the professorial ranks. The terminal degree does not necessarily qualify one for a professorial rank nor does receipt of the terminal degree guarantee promotion to a higher rank. When time in rank is a factor for promotion, years spent in that rank in some other institution may be counted as specified in the letter or contract of appointment. (See 2.4.10)

#### **2.4.3 Promotion Guidelines**

The academic units of the university must develop written guidelines for promotion with specific criteria for evaluating the faculty in teaching, research and service. The departmental guidelines can not be less rigorous than TBR or university guidelines. A department or college may weigh criteria to be considered in promotion recommendations and should establish appropriate standards within criteria for the distinctive discipline(s) and the level(s) of program(s) it embodies. If such weighted criteria and standards for promotion are to be applied to candidates, they should be carefully documented in approved unit mission statements and policies. Those documents become bona fide only when (1) they have been considered by faculty in those units, (2) they have gained approval by the university as official college or departmental mission statements and related policies that are consistent with university mission and policy, and (3) they have been communicated in publications or in other written form (including the Web) to faculty affected by them. Bona fide documents are maintained as public information in the offices of appropriate department chairs and deans, the Vice President for Academic Affairs or the Vice President for Health Affairs, and the Faculty Senate.

The guidelines for promotion described in the remainder of section 2.4 represent minimum requirements for promotion of faculty in tenure and tenure-track appointments to which customary expectations concerning teaching, research or creative activity, and professional service apply. Regarding non-tenurable but promotable clinical and research appointments, it is the responsibility of departments or colleges to develop suitable criteria to evaluate promotion of individuals holding such appointments. Bona fide criteria for promotion of individuals in non-tenurable appointments should be in place before a department or college attempts to fill such appointments for the first time.

Nominees for promotion will be judged on the basis of their performance in teaching, research, scholarly and/or creative activity, and professional service as evaluated by their peers and appropriate administrative officers. Evidence of performance is to be, to the extent possible, objective and documented. Performance in these areas will be given different weights depending upon the assigned duties and responsibilities of the individual concerned and the uniqueness of the unit involved.

Requirements for minimum service in one rank are not absolute. Exceptions may be made on the basis of exceptional academic and/or other achievements of a particularly valuable nature.

All candidates for promotion to senior ranks (associate professor and professor) must meet approved departmental and/or college/school criteria for achievement in each of the three areas of teaching; research, scholarly and creative activities; and service. Promotion in rank carries the implication of attainment of criteria as well as increasing levels of achievement in the discipline. Candidates for promotion to associate professor or professor are expected to demonstrate both a higher quality and a greater cumulative quantity of achievement in each of the three areas than are candidates for promotion to lower rank.

#### **2.4.4 Teaching**

Since the first responsibility of the university is the education of its students, excellence in teaching should be continually encouraged and rewarded. No nomination for promotion should be made without accompanying evidence of the nominee's effectiveness as a teacher, where teaching is a part of the individual's work assignment. Inevitably, the rating of teaching ability is to some degree a value judgment. It is incumbent upon each department to develop a rating procedure whereby all factual information relative to a candidate's work as a teacher is available at the time s/he is considered for promotion. Evaluation of instruction shall be based on the following criteria with each unit assigning varying degrees of weight to each criterion. Deficiencies in some criteria may be counterbalanced by superiority in others.

##### **2.4.4.1**

Command of subject matter, and a record that indicates that the individual has remained current in his/her field of specialization.

##### **2.4.4.2**

Ability to organize and present subject matter in a logical and meaningful way.

##### **2.4.4.3**

Ability to motivate students.

##### **2.4.4.4**

Curriculum and/or program development; development of instructional techniques or teaching methods, including development of on-line teaching methods and courses.

##### **2.4.4.5**

Mentoring of undergraduate, graduate or post-graduate students, including:

- a. efforts to promote student research, scholarship, and creative activities;
- b. successful direction of theses, dissertations or independent research projects; and
- c. effective leadership of research projects intended in part to train students in research techniques.

#### **2.4.4.6**

Textbooks or other published works in the teaching area, including documentation of teaching methodology that may be shared with colleagues. Such publications would also be considered as contributions to research, scholarly or creative activities.

#### **2.4.4.7**

Excellence in the advisement of students, either formally or informally.

#### **2.4.4.8**

Honors or other recognition for contributions to teaching.

#### **2.4.4.9**

Evidence of teaching effectiveness should be provided by the candidate and affirmed by peer review at the departmental or academic program unit level and by evaluation by the department or unit chairperson and the appropriate dean. Where appropriate, evidence of teaching effectiveness may include information drawn from student evaluations of instruction.

#### **2.4.4.10**

Considerations other than hours of classroom contact should include such matters as the total number of preparations per semester, the number of courses per academic year, the level of difficulty of the courses, the number of students assigned to the classes, and time and location of courses.

### **2.4.5 Research, Scholarly, and Creative Activities**

Research, scholarly, and creative activities are important areas of faculty involvement in the university. Clear evidence of the quality of work should accompany each application. Evidence supplied by the candidate might indicate performance beyond routine expectations in the following areas. Academic units will assign varying degrees of weight to each criterion. Deficiencies in some criteria should be counterbalanced by superiority in others.

#### **2.4.5.1.**

Publications: textbooks, books or chapters in books, articles in refereed journals, articles in non-refereed journals, monographs, refereed and non-refereed conference proceedings, abstracts, book reviews, and other related items. 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.

#### **2.4.5.2**

Papers presented: those papers presented at local, state, regional, national, and international professional meetings. The significance of content and selection processes should be considered in reviewing such presentations.

### **2.4.5.3**

Performances or exhibitions that are invited or juried by internationally, nationally, or regionally recognized members or groups within the discipline.

### **2.4.5.4**

Research in progress: Verification of stages of development is mandatory.

### **2.4.5.5**

Other items such as funded or unfunded research proposals, computer software development, or audio-visual media may also be considered.

### **2.4.5.6**

Academic departments and/or colleges may use written reviews and evaluations by qualified external peers to evaluate a candidate's research, scholarly and/or creative activity. The chair and the candidate must agree on the reviewer(s) selected from departments or institutions other than the candidate's own.

## **2.4.6 Professional Service**

Evidence of the candidate's contributions in the area of professional service should be offered by the candidate. Documentation of all service activities is required. Professional service encompasses a faculty member's activities in one of three areas: university service, service to the discipline, and outreach or public service.

### **2.4.6.1**

Service to the university (and to affiliated institutions) 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.

### **2.4.6.2**

Service to one's discipline or to the teaching profession generally includes participation in the activities of state, regional or national professional organizations related to the candidate's discipline; association leadership; journal editorships; article and grant proposal review; guest lecturing on other campuses; and other appropriate activities. Significant professional service requires more than organizational membership and attendance. Examples of significant service include that done by an officer of a professional organization or a member of the editorial staff of a journal.

### **2.4.6.3**

The outreach or public service function is the university's outreach to the community and society at large, with major emphasis on the application of knowledge for the solution of problems with which society is confronted. Outreach primarily involves sharing professional expertise and should directly support the goals and mission of the university. A vital component of the university's mission, public service must be performed at the same high levels of quality that characterize the teaching and research programs.

#### **2.4.6.4**

The academic unit to which the candidate belongs should evaluate the candidate's service using the following criteria, to each of which the unit may assign varying degrees of weight:

- a. A description of the candidate's position that permits evaluation of performance in relation to assigned and budgeted duties. This should include a statement of the mission or purpose of the position and the objective(s) of the nominee's service unit, as well as the specific assigned tasks and responsibilities of the nominee.
- b. An evaluation of the effectiveness with which the service is performed, as judged by its relation to the general welfare of the university; its effect on the development of students and other faculty members; and/or its impact on other individuals, groups, or organizations served. Documentation of the effectiveness of service should include evidence of the success of the service in improving communities, programs, operating agencies, production processes, or management practices. It should also include indications of client satisfaction with the service provided by the nominee, and of the magnitude and complexity of his/her work (as opposed to perfunctory activity that does not lead to useful results).
- c. An appraisal of the candidate's local, regional and national stature. Although the achievement of national stature is sometimes difficult for public service faculty whose activities are primarily directed to groups within the state, the public service professional should take advantage of every opportunity to project his/her accomplishments among peers on a local, regional, and national basis. Service/outreach work is sometimes not publishable. The results may be in the form of direct consultations, planning reports, or instructional time directed largely to the recipients of university service programs. But certain aspects of service work are suitable for publication in professional journals. For example, unique techniques developed to motivate clients or new approaches to the transfer and application of knowledge would be of interest to peers in other public service programs across the nation.

#### **2.4.7 Assistant Professor**

Those faculty members promoted to or hired at the rank of Assistant Professor should meet the following criteria:

##### **2.4.7.1**

Earned doctorate or terminal degree from a regionally accredited institution or comparably recognized non-U.S. institution in the instructional discipline or related area.

#### **2.4.7.2**

Evidence from academic records, recommendations, interviews, or other sources that the individual is adequately trained in the discipline and is otherwise competent to carry out the duties and responsibilities of a member of a university faculty.

#### **2.4.7.3**

Evidence of good character, mature attitude, and professional integrity.

#### **2.4.7.4**

Evidence of effective teaching if the individual has taught at the college level. If the individual has not taught at the college level, evidence should be obtained that satisfactory teaching performance can reasonably be expected.

#### **2.4.7.5**

Promise of productive creative and scholarly research and professional service.

### **2.4.8 Associate Professor**

Those faculty members promoted to or hired at the rank of Associate Professor should provide documented evidence of (a) high quality professional productivity which may lead to national recognition in the academic discipline or (b) high quality professional productivity that is consonant with the goals of the university and of the academic unit to which the faculty member belongs. Specifically, faculty promoted to or hired at the rank of Associate Professor should meet the following criteria:

#### **2.4.8.1**

Earned doctorate or terminal degree from a regionally accredited institution or comparably recognized non-U.S. institution in the instructional discipline or related area.

#### **2.4.8.2**

In light of the four-year phase-in period for Board of Regents policy 5:02:03:60, the time when a faculty member may apply for promotion to associate professor is determined by when his or her full-time, tenure-track employment began at ETSU:

- a. Faculty whose employment began prior to July 1, 2004, may apply for promotion to associate professor after having completed four full years in the rank of assistant professor.
- b. Faculty whose employment began after July 1, 2004, may apply for promotion to associate professor after having completed five full years in the rank of assistant professor.

Item (b) will be applicable to all actions to promote faculty to the rank of associate professor taken on or subsequent to July 1, 2008, for faculty whose employment began prior to July 1, 2004.

Under (a or (b exceptions to the years-in-rank requirement may be made by the president under special circumstances. Only one year of a leave of absence for scholarly recognition, such as significant scholarship awards, will be credited toward satisfying the experience requirement for promotion. (Note: The years-in-rank requirement is a local ETSU requirement; exceptions to this requirement do not require TBR approval.)

#### **2.4.8.3**

Documented evidence of teaching effectiveness.

#### **2.4.8.4**

Documented evidence of professional service activities of a significant nature.

#### **2.4.8.5**

Documented evidence, as accepted within the discipline, of scholarly productivity in research or creative endeavors.

#### **2.4.8.6**

Evidence of good character, mature attitude, and professional integrity.

#### **2.4.9 Professor**

The highest rank to which one may be promoted is that of Professor. Documented evidence of teaching excellence and superior contribution to student development, superior scholarly or creative activity, and superior professional service will contribute to the positive record of the candidate for advancement to the rank of professor. Since there is no higher rank, promotion to professor is taken with great care and requires a level of achievement beyond that required for associate professor. This rank is not a reward for long service; rather it is recognition of superior achievement within the discipline with every expectation of continuing contribution to the university and the larger academic community.

Those faculty members promoted to or hired at the rank of professor should provide documented evidence of (a) sustained high quality professional productivity and national recognition in the academic discipline or (b) sustained high quality professional productivity in the academic discipline that is consonant with the goals of the university and of the academic unit to which the faculty member belongs. Specifically, faculty members promoted to or hired at the rank of professor should meet the following criteria:

##### **2.4.9.1**

Earned doctorate or terminal degree from a regionally accredited institution or comparably recognized non-U.S. institution in the instructional discipline or related area

##### **2.4.9.10**

A faculty member may apply for promotion to professor after having completed five full years in the rank of associate professor, provided that exceptions to the years-in-rank requirement may be made by the president under special circumstances. Only one year of a leave of absence for scholarly recognition, such as significant scholarship awards, will be credited toward satisfying the experience requirement for promotion. (Note: The years-in-

rank requirement is a local ETSU requirement; exceptions to this requirement do not require TBR approval.)

#### **2.4.9.11**

Documented evidence of teaching effectiveness.

#### **2.4.9.10**

Successful research, scholarly, and/or creative activity, as evidenced by such accomplishments as published scholarly books, articles in professional journals in one's discipline, presentation of papers before regional, national or international professional groups, receipt of major research grants, and/or a record of significant exhibitions or performances.

#### **2.4.9.11**

Professional service of an outstanding nature, usually of such kind as to make the individual regionally or nationally known in the discipline, or, alternatively, as a leading figure in service efforts promoted by the institution.

#### **2.4.9.13**

Evidence of good character, mature attitude, and professional integrity, and a high degree of academic maturity and responsibility.

### **2.4.10 Exceptions to Minimum Rank Qualifications**

The minimum rank qualifications should be met in every recommendation regarding appointment to academic rank and for promotion in academic rank. Exceptions to local ETSU requirements (e.g., years-in-rank) require the approval of the president of the university. Exceptions to TBR minimum rank qualifications can be recommended to the Chancellor by the president; however, such exceptions are not favored and should be granted only upon a showing of a candidate's exceptional merit and/or other extraordinary circumstances, such as an objective need to deviate from these minimum qualifications in filling positions and/or retaining otherwise qualified faculty within certain academic disciplines.

Petitions for exceptions to promotional criteria may include consideration of the appropriateness of the degree or extraordinary qualities that the candidate may possess. The equivalent work experience credit may include relevant teaching experience or other experiences such as experience gained as an administrator, counselor, librarian, journeyman, or the like. When evaluating college-level instruction, research/scholarship/creative activities, and service, the university may make its own determination whether or not the number of years of experience from another university is to be accepted in total or discounted in some manner.

### **2.4.11 Initiation and Processing of Promotion Recommendations**

The formulation of recommendations concerning the promotion of a faculty member is a cumulative process occurring at three levels: departmental/ divisional, collegial, and executive or presidential. The faculty member eligible for consideration also has a

significant role by assuming responsibility for timely submission of pertinent materials to the department chair for review at each level.

#### **2.4.11.1**

The director of personnel, by May 1st of each year, shall provide department chairs, deans, the appropriate vice president, and the president with lists of faculty members eligible for promotion through length of service. The action by the director of personnel does not relieve the department chairs of the responsibility of determining eligibility for promotion.

#### **2.4.11.2**

Department chairs, during the succeeding 15 days, will verify the lists through departmental and other administrative offices.

#### **2.4.11.3**

By May 15 each faculty member eligible for promotion shall be so notified in writing by the department chair. A department chair may initiate a promotion recommendation at any time; but unless there is special need for earlier processing, subsequent steps will be taken according to the established schedule.

#### **2.4.11.4**

Applications will be completed by each faculty member applying for promotion. These applications must be submitted to the department chair no later than September 15. All promotion applications must be complete at that time. No additional documentation may be added after September 15 except at the request of the reviewers and with the permission of the candidate, or vice versa. Candidates applying for promotion and tenure simultaneously submit one set of supporting materials.

#### **2.4.11.5**

Promotion applications will be reviewed at each level of the process. It is expected that no level of review is bound by prior judgment(s). At each level in the process, the cumulative recommendations and statements of rationale recorded by committees and administrators will be forwarded as integral parts of each candidate's application. Each reviewing official or committee has the responsibility to remand an application to any preceding level if that level's review is found to be incomplete or otherwise unacceptable. Consistent with Board of Regents policy, all peer committees have qualified privilege of academic confidentiality against disclosure of individual promotion votes unless there is evidence that casts doubt upon the integrity of the peer committee.

#### **2.4.11.6**

In some cases, such as small departments or unique fields of study, outside expertise may also be necessary in the evaluation process. The chair and the candidate must agree on the individual(s) selected from departments or institutions other than the candidate's own. All senior faculty in the candidate's department (those holding academic rank equal to or higher than that sought by the candidate), not including the department chair, and such outside experts as are needed will meet to review the promotion application. The promotion applicant must be given at least one week's notice of such meetings and, consistent with procedures described in section 2.4.11.4, shall have the opportunity to bring to the

participants' notice any material that may be helpful in determining the applicant's fitness for higher rank.

#### **2.4.11.7**

In addition to any other evidence that the candidate might choose to provide, the candidate must furnish student assessments of instruction for at least eight courses taught while holding current rank, wherever possible, or for every course evaluated while holding current rank, if this number is greater. These student assessments should be representative of a variety of classes that the candidate has taught. A University-approved assessment instrument will be used for this purpose. Student assessments must be included with all applications for promotion and will be considered as one important source of information concerning effective teaching, although not the only one.

#### **2.4.11.8**

A separate peer evaluation of teaching effectiveness must also take place. This evaluation must include a review of student evaluations with consideration given to the type of courses involved. In addition, peer reviewers should assess items such as course syllabi, study materials, assignments, information on assessment and grading practices, and expectations relating to the candidate's particular teaching responsibilities. Peer reviewers should also observe the candidate's classroom teaching.

#### **2.4.11.9**

Departments and colleges may establish their own criteria and processes for peer evaluation of teaching and may include these in their official statements of expectations for promotion, subject to the provisions of section 2.4.3.

#### **2.4.11.10**

It is the obligation of candidates for promotion, with assistance from their department chairs, to ensure that their teaching is evaluated by peers as described in section 2.4.11.8 and to present in the promotion application documentation of the findings of peer evaluations.

#### **2.4.11.11**

Proposed changes in the process for student assessments of instruction will be submitted to the ETSU Student Government Association for consideration and reaction. The SGA will review the uses of student assessments of instruction on a regular basis and will bring its questions, concerns and suggestions to the Faculty Senate and to the Academic Council.

#### **2.4.11.12**

Complete and accurate documentation of all research, scholarly and creative activities, including complete bibliographic listings of publications, status of journals (refereed and non-refereed), role in jointly authored articles and papers, and complete descriptions of professional service activities should be included in each application to provide evidence of and support for these activities. Copies of published items and other reported research and creative activities must be available for examination by reviewers.

#### **2.4.11.13**

The departmental review by the committee of senior faculty will be completed using appropriate criteria, as established by the department and consistent with university criteria, in reaching its decision.

#### **2.4.11.14**

After formal discussion, the committee of senior faculty within the department will vote to recommend, or not to recommend, each candidate within the department. A written, composite statement explaining the recommendation shall be signed (by means that may include electronic signatures) by each reviewing faculty member and forwarded to the department chair, with a copy to the candidate. Included in that statement will be an explicit evaluation in each of the areas of teaching; research, creative, and scholarly activity; and professional service. Dissenters may include their views in the committee report.

#### **2.4.11.15**

The department chair, by October 15, will forward to the school or college dean, and to the candidate his/her own decision to recommend or not recommend the candidate for promotion. Included in that recommendation will be a written rationale explaining the recommendation, with an explicit evaluation in each of the areas of teaching; research, creative, and scholarly activities; and professional service.

#### **2.4.11.16**

The chair will inform the dean of the faculty members' vote. Should the chair elect to act contrary to the vote of the senior faculty, the dean or other appropriate administrative official should meet with the senior faculty of the department in question to discuss the matter. The dean or other appropriate official should also meet with the chair of the department.

#### **2.4.11.17**

All recommendations reached at the departmental level will be forwarded to the dean who will forward them to that college or school's promotion and tenure committee for its review.

#### **2.4.11.18**

Prior to or during the fall semester of each year, the dean of each college or school will implement procedures to establish a promotion and tenure committee. This committee shall take its membership from faculty at professorial ranks. The dean should ensure adequate representation from the tenured faculty. All members should have at least 3 years of service at ETSU. Collectively the membership should represent the various disciplines of the college or school with equal numbers appointed by the dean and elected by the faculty. At least two-thirds of the members of the committee should hold the rank of associate professor or professor. When there are not sufficient numbers of faculty within a college holding the rank of associate professor or professor to serve on the committee, the dean will request participation of faculty in other colleges. Department chairs may not serve on such committees. No person who is an applicant for promotion in a given year may be an elected or appointed member of a College/School Promotion/Tenure Committee during that year. A person who may have been elected to serve a two or three-year term,

should s/he apply for promotion during that term, shall excuse her/himself from the College/School Committee in that year. In the event a replacement is needed, the College/School will obtain a replacement on the same basis as the individual was appointed. The size of the committee should be from 6 to 14 members who shall serve staggered 2- or 3-year terms. The school or college faculty shall decide whether the committee chair shall be elected from among the members of the committee or appointed by the dean. The committee shall function in the role of advisor to the dean from October 15 until December 15 of each year. More specifically, this committee will perform the functions of review as follows:

- a. Receive and review promotion and tenure recommendations of the chairs and departmental committees for transmittal to the dean. In formulating its recommendations for promotion, the committee should consider the broad perspective of the philosophy and objectives of the school or college and any bona fide weighting of criteria and standards reflecting the expectations of the applicant's academic department and/or college.
- b. Review all applications to assure that criteria for promotion and tenure are being correctly and uniformly applied to all members of the school or college.
- c. Review the completeness of the information presented and question any omission in criteria or variations in procedure. Where discrepancies or misapplication of criteria are noted, the committee will attempt to correct the errors through direct consultation with those involved.
- d. Only members of the college/school committee holding academic rank equal to or higher than that sought by a candidate may vote on that candidate's promotion.
- e. Only tenured members of the college/school committee may vote on applications for tenure.
- f. Members of the college/school committee from a candidate's home department shall not participate in the college/school committee's discussion of the candidate or in its votes on that candidate's tenure and/or promotion.

#### **2.4.11.19**

The school/college review committee will, by December 15, forward to the dean its recommendations and a written, composite statement for each faculty member being reviewed. The use of secret or open balloting shall be decided by the college, school, or division committee. These written statements will include an explicit evaluation in each of the areas of teaching; research, scholarly and creative activity; and professional service, and will be signed (by means that may include electronic signatures) by each committee member. Dissenters may include their views in the committee report. A copy of the committee recommendation will be forwarded to the candidate.

#### **2.4.11.20**

The dean's recommendations, together with all written documentation, will be forwarded to the appropriate vice president by February 1. This report must also include an explicit evaluation of each candidate's record in the areas of teaching; research, scholarly, and creative activity; and professional service.

#### **2.4.11.21**

The dean, at the time the candidate's application is forwarded to the vice president, will also notify the candidate and the department chair of his/her decision to recommend or not to recommend. The decision will be supported in writing. A copy of this written support will be provided to the candidate and the department chair. In the event of a negative recommendation, the candidate may initiate an appeal to the university Promotion and Tenure Appeals Committee (See 2.4.12).

#### **2.4.11.22**

The vice president will hold a meeting with the dean concerned prior to a final recommendation. The vice president will notify the candidate, dean, and department chair of his/her decision to recommend or not to recommend. The decision will be supported in writing. In the event of a negative recommendation, the candidate may initiate an appeal to the university Promotion and Tenure Appeals Committee (See 2.4.12).

Upon reaching a decision regarding each application for promotion, the vice president will forward the application, together with all recommendations relevant to it, to the president by March 1.

#### **2.4.11.23**

All promotion applications initiated will be forwarded to the president regardless of the recommendation made by any intervening administrator or faculty committee, unless the candidate chooses to withdraw his/her application. Only the candidate has the right to withdraw an application that has been filed.

#### **2.4.11.24**

Final action, prior to consideration by the Board of Regents, on each promotion recommendation will be taken by the president. When a recommendation is approved by the president and subsequently by the chancellor and the Board of Regents, the president will notify the faculty member, by letter through the appropriate vice president's office, of the award of promotion. When a recommendation is disapproved by the president, s/he will, through the appropriate vice president's office, inform the department chair of the faculty member involved, in writing, stating reasons for disapproval, and the chair will so advise the faculty member within five days of said notification. Any appeal to the Board of Regents must be made in accordance with Board policies. Appropriate administrative officers will be advised by the president of the action taken on all promotion recommendations; whether approved or disapproved.

#### **2.4.11.25**

A list of faculty members who are recommended for promotion will be forwarded to the chancellor and to the Board of Regents.

#### **2.4.11.26**

Upon final action taken by the Board of Regents, the president will notify the candidate and recommendation forms will be filed in the Personnel Office.

#### **2.4.12 Appeal Procedure**

An appellate procedure stands as a basic and important part of the overall promotion granting process. The responsibility of evoking the appeal procedure must be assumed by the candidate.

Two appeal opportunities follow the dean's action and precede that of the president. The candidate may opt to utilize either one, but not both, of these opportunities. Should the dean opt not to recommend in favor of promotion, the candidate may request a pre-appeal conference with the vice president. Should the vice president choose not to recommend for promotion and the candidate has not appealed following the dean's decision, the candidate may request a pre-appeal conference with the president. In either event the pre-appeal conference must be requested within seven days of receiving written notice of the negative recommendation.

The University Promotion and Tenure Appeals Committee (PTAC) will be composed of one faculty senator elected by the Senate who will chair the committee, and one member from each college or school who was not a member of that body's promotion and tenure committee when the candidate's application was evaluated, as selected by the faculty senators from that college or school. The college/school senators will also designate two alternates from their college/school who would be available to serve if the primary designee is ineligible or unavailable to serve. If the college/school senators fail to designate a committee member and alternates, or if those designated are ineligible or unavailable to serve, then the Faculty Senate President and the PTAC Chair will jointly select a faculty member from that college/school to serve. Terms of appointment shall be for two-year staggered terms with the exception of the committee chair who will serve only a one year term. All members of the PTAC will be tenured and will hold professorial rank. Deans, department chairs, and other administrative personnel directly involved in college or school-level promotion decisions (such as associate or assistant deans) are excluded from membership on this committee. No member of the PTAC shall have participated in the review of the candidate's application at any previous level.

After the pre-appeals conference, if the candidate has decided to proceed with the appeal, s/he must file an appeal in writing with the university Promotion and Tenure Appeals Committee within one week or forfeit the right to appeal at that level. When the appeal goes forward, the vice president will submit the candidate's complete promotion application to the chair of the university Promotion and Tenure Appeals Committee. The committee shall review information relevant to each appeal in accordance with procedures developed by the committee for all such appeals and incorporate its recommendations as a part of each candidate's application to be returned to the vice president or the president for consideration. The committee will also send a copy of its recommendation(s) to the candidate, the department chair, the dean and the appropriate vice president. In the event the university Promotion and Tenure Appeals Committee makes a recommendation regarding tenure and/or promotion, the president or vice president will inform the chair of the committee in writing of the final decision and its rationale.

The final appeal opportunity is after the president's decision is made known. The appeal is directed to the Board of Regents in accordance with Board policy (see TBR policy 1:02:11:00).

01/29/88; 07/91; 05/92; 12/88; 07/11/11; TBR 4/2/04; 02/12/09;

## **2.5 Tennessee Board of Regents' Definition of Faculty**

Refer to *TBR Policy 5-02-01-00* at

<http://www.tbr.state.tn.us/policies/default.aspx?id=1462>

TBR 5:02:01:00; 09/30/83; Effective 03/06, policy changes will appear on the webpage cited

## **2.6 Student Assessment of Instruction**

For each faculty member, students will complete Student Assessment of Instruction (SAI) in at two classes during fall and spring semesters, if the faculty member teaches courses for which such assessment is appropriate. Following the completion of the semester, SAI results are reported to the faculty member, as well as to deans and department chairs. Information about teaching effectiveness, including but not limited to the results of Student Assessment of Instruction, is used in annual evaluation of faculty members and in evaluation of applications for tenure and promotion (see Sections 2.2, 2.3., and 2.4 of the *ETSU Faculty Handbook*).

1989; 02/18/07

## **2.7 School of Graduate Studies' Guidelines for Graduate Faculty Appointment**

Refer to the ETSU *Graduate Catalog* at:

<http://www.etsu.edu/gradstud/pdf/gradfacproc212.pdf>

04/27/90; 05/15/91; 4/27/99; 10/18/00; 10/19/00; 02/01; Effective 03/06, policy changes will appear on the webpage cited

## **2.8 Faculty Compensation During Summer Session and Intersessions**

Refer to *TBR Policy 5:02:04:10* at

<http://www.tbr.state.tn.us/policies/default.aspx?id=1488>

04/18/90; TBR Meetings: March 4, 1977; March 17, 1989; March 16, 1990; October 2, 1998; Effective 03/06, policy changes will appear on the webpage cited

## **2.9 Faculty Workload**

### **2.9.1 Overview**

Faculty appointments are governed by Tennessee Board of Regents Policy No. 5:01:00:00, and TBR Guideline A-052, which address, among other subjects, the length of the work week, holding office hours, and non-instructional assigned time. Although the traditional classification of faculty workload is in terms of teaching, research and service, this simple breakdown does not capture well the complexity of faculty activities in a modern university. Instruction takes many forms; research, scholarship and creative activity are highly dependent on the nature of the discipline; and university, professional and community service and outreach defy uniform classification across disciplines. In many instances, activities can be considered as falling within two or even three of these categories. Determining an appropriate workload for an individual faculty member that will prepare him/her for tenure and/or promotion, and lead him/her to make meaningful contributions to the university requires consideration of each of the above, as well as the particular strengths and interests of that individual within the context of departmental, college and university needs. It is evident that a uniform approach to determining faculty workload across the university, within a college, or even within a department or academic program, will rarely be productive.

### **2.9.2 Workload Policy**

Each department or equivalent administrative unit shall develop a faculty workload policy that addresses the university's mission and goals, as well as those of the college, department and, where applicable, the appropriate accrediting or approval body. The policy shall be decided by all departmental faculty to whom it will apply, and it should involve sufficient flexibility that it would allow the department to draw upon each faculty member's unique ability to contribute. Each departmental faculty workload policy shall be approved by the appropriate dean and vice-president. Departmental workload policies shall be reviewed by the departmental faculty at least once every five years and be re-affirmed or revised as appropriate to the department. The departmental workload policy shall be made available to all faculty members within the department to whom it pertains.

The policy shall include a clearly delineated appeals process. Each college shall establish a workload review committee, to which appeals may be addressed; this committee shall make recommendations for resolution to the dean. It is recommended that each department also establish such a committee in order to seek to resolve disputes at the department level.

Individual faculty workloads should be developed by the faculty member and his/her chair working within the guidelines set by the department. The proposed workload should be stated in writing and signed by the faculty member, the chair and the dean. Individual workloads should be set annually for untenured faculty, who receive annual contracts. For tenured faculty, individual workloads should be established for a typical period of three to five years. However, since each faculty member is evaluated annually and new opportunities may become available in the areas of teaching, research/scholarship and/or service, faculty workloads may be subject to review and adjustment as reasonable and necessary. The appropriate time of year to establish individual faculty workloads should be determined at the department level, bearing in mind such matters as deadlines for submission of teaching schedules, periods of service on boards or committees, or grant submission deadlines.

### **2.9.3 Workload Review**

If a faculty member and his/her chair cannot agree upon an appropriate workload, the faculty member may submit a request for resolution, as outlined in the departmental workload policy appeals process. He/She should submit the request to the departmental review committee, if such a committee has been established. If a departmental committee has not been established, or the faculty member is not satisfied with the response of the departmental committee, he/she should forward the request to the college workload review committee. This committee will make a recommendation to the dean, who will inform the faculty member and the chair of his/her decision. If the faculty member is not satisfied with the dean's decision, he/she may seek guidance from a Faculty Senate Procedural Consultant and, if appropriate, file a complaint or grievance through appropriate channels.

#### **2.9.4 Workload Limits and Overloads**

The agreed upon faculty workload will normally set limits on the expected activities of a faculty member. In rare instances, a faculty member may be asked to assume an additional responsibility, for example, to teach an additional course. In such circumstances the faculty member may qualify for overload pay. All overloads must be documented and agreed to by the faculty member, his/her chair and the dean, and recommended in advance by the Provost and approved by the President. Overload pay should be based on the rate set by the Tennessee Board of Regents.

09/25/79; 03/15/91; 12/11/08;

## **2.10 Personnel Records**

Pursuant to Tennessee Board of Regents Policy 5:01:00:10, all personnel records are filed in the Office of Human Resources. State Board of Regents and East Tennessee State University policies referred to above are available for review in the Office of Human Resources.

### **2.10.1 TBR Policy on Personnel Records**

The following policy of the Tennessee Board of Regents on personnel records shall apply to all employees of the institutions and area vocational-technical schools governed by the Board.

Under the provision of TCA 10-7-503, personnel records are considered public records and may be inspected, extracted, or copies by any citizen of Tennessee during normal business hours, in accordance with reasonable rules of the office having custody of such records.

Each institution and school shall designate the official custodian of permanent personnel records, provided that more than one official custodian may be designated for different classifications of employee records. The official custodian of permanent personnel records shall be responsible for maintaining the permanent personnel files. The authority of the official custodian may be delegated to such assistants as are provided by the institution or school.

Each institution or school shall develop a procedure to assure that employees are informed about records maintained about them and to permit them, upon request, to review the material (To view records other than their own, see 2.10.2). A procedure shall also be developed by each institution or school to monitor the release of information contained in personnel files in a manner consistent with individual rights to privacy and institutional or school and external needs for information.

As defined in TCA 10-7-301, public record(s) or state record(s) means all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material regardless of physical form of characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency.

Nothing in this policy shall require the maintenance of any record for any period of time in excess of any retention period established by the institution or school, the Board of State or Federal law.

REFERENCE TBR meetings: June 25, 1976; March 4, 1977; June 26, 1981; September 18, 1981; September 30, 1983; September 16, 1988.

### **2.10.2 Public Records — Inspecting and Copying (ETSU Directive FP-12)**

#### **2.10.2.1 General Provisions**

In accordance with Tennessee Code Annotated Section 10-7-503, *Records Open to Public Inspection*, all records made or received in connection with the transaction of official East Tennessee State University business shall at all times, during business hours, be open for personal inspection by any citizen of Tennessee unless otherwise provided by law or regulations made pursuant thereto; and the citizen shall have the right to make copies in accordance with Tennessee Code Annotated Section 10-7-506. Any questions concerning public records should be addressed to the Director of University Relations.

The Vice President for Administration and Development shall be responsible for administering this policy and publishing any necessary procedures including establishing a fee for making copies.

#### **2.10.2.2 Purpose**

The purpose of this procedure is to establish uniform procedures for handling requests under Tennessee's Open Records Law.

#### **2.10.2.3 Definition**

*Public Records* are all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material regardless of physical form or characteristics made or received in connection with the transaction of official East Tennessee State University business.

#### **2.10.2.4 Inspection of Public Records**

Student records are confidential and are not for release to the public, except as provided for in Tennessee Code Annotated Section 10-7-504, *Confidential Records*.

Except for confidential public records, records will be open for inspection by citizens of Tennessee in the office of record during business hours. The Director of University Relations and the Vice President for Administration and Development are to be notified when records are requested to be inspected. Inspection and copying will only proceed after such notification. The Director of University Relations will assist in answering questions and coordinate release of any additional information to ensure understanding of the record. Persons requesting to inspect records must show identification of Tennessee citizenship (i.e., driver's license, voter's registration, etc.).

Request to inspect records must be for a specific record. East Tennessee State University is not required to create records or compile information. If the record is unavailable for some reason, i.e., being used for official business, etc., then the person requesting the record shall be advised when to return to inspect the record. All efforts will be made to provide the record(s) within a reasonable period of time.

Custody of the record is not to be relinquished. The person requesting to inspect the record must do so in the presence of the custodian of the record or an appropriate designee. If it is not convenient for the record to be shown to the person because of present work requirements, then the person requesting to inspect the records shall be advised when to return to inspect the record.

#### **2.10.2.5 Inspection of Personnel Records**

Permanent personnel records of all employees, including former employees (faculty and staff), are subject to inspection under Tennessee's Open Records Law. Persons requesting to inspect personnel records must complete a Request Form to Inspect/Copy Public Records and show identification of Tennessee Citizenship (i.e. driver's license, voter's registration, etc.). When a request is made to inspect a personnel record, the employee concerned will be notified that such request was made and who made the request.

### 2.10.2.6 Copying of Public Records

Upon request, East Tennessee State University will provide at the requester's expense copies of public records. When a request for copies is received, the custodian should not relinquish the records. The custodian should do the following:

- a. Have the requesting party complete the "Request Form to Inspect/Copy Public Records."
- b. Determine number of copies to be made and enter description and number of copies to be made on the form. The price per page is .25, subject to change at any time by the university.
- c. Advise the requesting party that payment for copies will be made at a cashier's window, Office of the Comptroller, when the copies are made and/or available for pickup. An original "Request Form" and a photocopy should be attached to the record.
- d. If convenient, the custodian or a staff member should make the copies and take them to a cashier's window for the requesting part whereupon the requester will pay for the copies.
- e. If it is not immediately convenient for the custodian or staff member to make the copies, the person requesting copies shall be advised that the copies will be made and that they will be notified when the copies are available for pickup at a cashier's window where payment for the copies may be made. All efforts will be made to make the copies within a reasonable period of time. The photocopy of the "Request Form" will be dated and initialed and returned to the office of record, along with the record.
- f. After the copies are made, picked up and paid for, the original "Request Form" should be forwarded to the Director of University Relations by the department of record.
- g. If it cannot be readily determined whether or not a requested document is covered by the Tennessee Open Records Law, the matter will be referred to the State Board of Regents, Office of Legal Counsel, by the University Relations Director.

TBR 5:01:00:10; 9/88

## **2.11 Leaves**

### **2.11.1 Annual Leave**

Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP17.aspx>

### **2.11.2 Adoptive Parents Leave**

The previous policy on *Adoptive Parents Leave* has been replaced with the policy on *Parental Leave*. Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP22.aspx>

### **2.11.3 Leave of Absence**

Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP21.aspx>

### **2.11.4 Military Leave**

Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP23.aspx>

### **2.11.5 Civil Leave**

Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP19.aspx>

### **2.11.6 Leave Transfer Between the State University and Community College System and State Agencies**

Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP25.aspx>

### **2.11.7 Sick Leave**

Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP24.aspx>

### **2.11.8 Maternity Leave**

The previous policy on *Maternity Leave* has been replaced with the policy on *Parental Leave*. Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP38.aspx>

### **2.11.9 Bereavement Leave**

Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP18.aspx>

### **2.11.10 Voting Leave**

Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP-49.aspx>

### **2.11.11 Educational Leave**

Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP52.aspx>

### **2.11.12 Family and Medical Leave**

Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP46.aspx>

### **2.11.13 Paternity Leave**

The previous policy on *Paternity Leave* has been replaced with the policy on *Parental Leave*. Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP22.aspx>

### **2.11.14 Disaster Relief Service Leave**

Refer to *ETSU Personnel Policies and Procedures Manual* at

<http://www.etsu.edu/humanres/relations/PPP56.aspx>

### **2.11.15 Holidays**

<http://www.etsu.edu/humanres/relations/PPP14.aspx>

Source: TBR Meetings, October 12, 1972; September 30, 1983; December 14, 1984; December 13, 1985; September 18, 1992

Note: This policy was formerly 4:03:04:01. It has been renumbered to be included in the Personnel Section of the Policy Manual, 11/90.

TBR 5:01:01:01-5:01:01:10

Effective 03/06, policy changes will appear on the webpage cited

## **2.12 Faculty Hiring Procedure**

For complete information on faculty hiring procedures, see the Office of Human Resources' *Guidelines for Search Committees and Chairs for Filling Faculty Vacancies* at <http://www.etsu.edu/humanres/PPP/F-adv Gud.htm>.

### **2.12.1 Vacancy**

A vacancy occurs either by:

- Incumbent's vacating an established position by retirement, resignation, etc.
- Authorization of a new position by the appropriate administrative officials.

### **2.12.2 Permission to Recruit**

Chair fills out "Authorization to Fill Faculty Position" form.

Form is submitted to dean or director who acts.

Form is forwarded to appropriate vice president who acts.

Form is forwarded to president for final action.

Vice president informs dean or director, and department chair to begin search.

### **2.12.3 Recommendation to Interview Candidates**

A search committee is named in accordance with departmental procedures (in some smaller departments the department chair may act in lieu of a committee).

The position is advertised according to University policy on affirmative action.

The search committee:

- a. Collects and screens applications.
- b. Submits a list of the top three to five candidates in order of preference.

The list is reviewed by the dean or director, and the chair, and a decision is made on one or two candidates to be invited to campus.

### **2.12.4 Interview Process**

The department chair will issue an invitation to one or more candidates to come to campus for an interview.

In some cases, the initial screening may be at a professional meeting such as MLA, ACS, etc.

An on-campus interview arrangement will be made to visit:

- a. As many members of the departmental faculty as

possible.

- b. The department chair.
- c. The dean or director.
- d. The appropriate vice president or his/her designee.

### **2.12.5 Evaluation of Oral and Written English Proficiency**

The Senate Joint Resolution 211 adopted by the 1984 General Assembly seeks assurance that all faculty at Tennessee Board of Regents' institutions are proficient in oral and written English. TBR policy 5:02:01:03 requires each institution to establish written procedures for review and evaluation of the English language competency of candidates for appointment to or tenure in a teaching position. In compliance with this policy, ETSU has established the following procedures:

- a. All candidates must be assessed, as part of the employment interview process, for their ability to speak and write English clearly, understand spoken and written English, and communicate effectively in an academic environment.
- b. For every recommendation for appointment, a designee of the Vice President for Academic Affairs or Health Affairs—ordinarily, the chair of the academic department in which the candidate will be employed—must provide a written verification of the candidate's oral and written English proficiency and ability to communicate effectively in an academic environment.
- c. The Vice President for Academic Affairs or Health Affairs, as appropriate, must include a statement in every recommendation for appointment form stating: "I certify that \_\_\_\_\_ (Name) \_\_\_\_\_ is qualified to perform all duties of this position, is competent in the use and understanding of spoken and written English, and can communicate effectively in an academic environment." (Signed vice president)

4/12/01; 2/7/08; 02/07/08

### **2.12.6 Recommendation to Hire Candidate**

The search committee (or department chair) will review credentials and results of interview and make a recommendation to the department chair (or dean or director).

The recommendation of the committee, the chair, and the dean or director is submitted to the appropriate vice president who accepts or rejects the recommendation.

- a. If accepted, permission will be given to initiate a personnel action form.
- b. If rejected, the committee and/or chair will continue the search until an acceptable candidate is located.

### **2.12.7 Appointment**

The vice president will forward to the president the appointment papers for action.

- a. If the president approves, s/he will sign and send a letter of appointment to the successful candidate.
- b. If rejected, the committee and/or chair will continue the search until an acceptable candidate is located.

09/15/79

## **2.13 Faculty Emeritus**

East Tennessee State University will honor select faculty members, upon retirement, as emeritus faculty. These individuals will be granted certain rights and privileges in recognition of their honored role in the University community and their ongoing potential for contributions to the intellectual and cultural life of the University.

To be awarded emeritus status, faculty must have served the University for at least 10 years. Faculty should have attained the rank of Professor, Associate Professor or Assistant Professor (under exceptional circumstances Instructors may be considered). When a faculty member's written notice of retirement is received at the Office of Human Resources, that office will notify the faculty member and respective department chair of eligibility for emeritus status. The retiring member will be asked if he/she wishes to participate in the emeritus procedure. Within one month of receiving the retirement notice from the Office of Human Resources, the chair will convene the department's faculty to review the qualifications of the emeritus faculty candidate as presented in CV and other supporting documentation. Candidates will be nominated for emeritus status by majority vote. Those nominated will have materials submitted for recommendation by respective Deans and the Academic Vice President/Health Affairs Vice President, and then sent to the Office of the President where final decision will be made. (The President will have access to the Department's nomination and assessment materials, as well as decisions of approval by Deans and the appropriate Vice President.)

The title Emeritus will follow the faculty member's rank upon retirement, i.e., Professor of History, Emeritus. If the recipient is a woman, the feminine ending is used, i.e., Professor of History, Emerita. Emeritus or Emerita status will become effective July 1 of each year, and public recognition of this status will occur annually. A list of all emeritus faculty should be included in the University catalogue and other appropriate documents.

Emeritus faculty, as all retired faculty, shall be privileged to maintain an identification card entitling them to certain University privileges. These will include library use, faculty parking permit, reduced rates for athletic events and other privileges which do not exert undue financial burdens on the University. In addition, Emeriti may request the use of available office or laboratory space or may apply, upon approval, for University grants under the same rules as other faculty.

04/95; 07/01/95; 11/15/07

## 2.14 Retirement

Except as otherwise provided herein, all regular full-time employees of the Tennessee Board of Regents and of institutions and area vocational-technical schools governed by the Board of Regents shall be members of a state-supported retirement system, subject to the eligibility provisions of Title 8, Chapter 35, Tennessee Code Annotated, as amended. Regular part-time employees are eligible to become members of a state-supported retirement system, but such membership is not mandatory. Regular academic, executive, administrative, and professional employees of the Board and institutions shall have the option of becoming members of either the Tennessee Consolidated Retirement System or the Board of Regents Optional Retirement Program, pursuant to T.C.A. section 8-35-101 *et seq.*, and policies and guidelines of the Board.

Employees who are members of the Tennessee Consolidated Retirement System are eligible to retire upon attainment of age sixty (60) or upon completion of thirty (30) years of creditable service.

Employees who are members of the optional retirement program may retire at any time permissible under the provisions of the annuity contracts purchased from the designated carrier of the program.

Any person who has served as the president of an institution under the Board of Regents for a period of not less than ten (10) years and has attained the age of sixty (60) while being employed by the Board may, upon approval of the Board, be retired as President Emeritus of the institution where he/she served a minimum of ten (10) years, with portfolio status, subject to part-time consultant services which may be assigned by the Board, at an annual salary of twenty percent (20%) of his/her last year's salary, exclusive of prerequisites, to be paid monthly from institution appropriations as authorized by T.C.A. section 8-39-301 through -303.

Source: TBR Meetings, September 24, 1976; September 29, 1978; June 29, 1979; June 26, 1981; March 19, 1982; September 30, 1983; December 14, 1984; March 20, 1987; December 13, 1991; June 25, 1993

Note: (a)The provisions of this policy which constituted amendments or revisions adopted on September 29, 1978, became effective on January 1, 1979.

(b)The provisions of this policy which constituted amendments or revisions adopted on June 26, 1981, became effective on July 1, 1981.

(c)The provisions of this policy under which regular full-time executive, administrative, and professional employees are eligible to participate in the optional retirement program became effective on July 1, 1983.

(d)Regular part-time employees became eligible for retirement system membership on July 1, 1984.

TBR 5:01:03:00; 02/93; 06/93

## **2.15 Optional Retirement Programs**

### **2.15.1 Summary**

The Tennessee Board of Regents has designated optional retirement programs for regular academic, executive, administrative, and professional employees of the Board of Regents' institutions, and has approved the contracts offered by optional retirement program vendors, as the contracts to be purchased under the optional retirement program, said designation and approval conditioned upon there being no change in the legislation authorizing the optional retirement program which would require the Board and/or the institutions in the System to incur any additional costs whatsoever in terms of the contributions made to or the benefits payable from said optional retirement program. Employees of the area vocational technical schools are not eligible to participate in the optional retirement programs.

Prior to 1991, the State of Tennessee offered exempt staff in Tennessee's public colleges and universities the option of enrolling in either of two retirement programs. The primary program — the Tennessee Consolidated Retirement System (TCRS) — was and remains the retirement program open to all employees of the State of Tennessee. The only secondary, or optional, program offered was through the Teachers Insurance and Annuity Association-College Retirement Equities fund, commonly called TIAA-CREFF.

In 1991, The Tennessee General Assembly amended the State's statues on retirement to permit the addition of two more optional companies from which eligible employees may choose in selecting a company, or companies, with which to invest their retirement contributions. Contracts with the new companies, Variable Annuity Life Insurance Company (VALIC), and Aetna Life Insurance and Annuity Company will take effect on July 1, 1992.

Adoption of additional investment companies as part of the Optional Retirement Program is being done for the purpose of permitting eligible employees to diversify their retirement investments across a broader range of investment products. With the addition of the new companies, diversification can be achieved by:

- a. Distributing future contributions among the optional companies and their various investment products, and/or by
- b. Transferring funds already accumulated to one or more of the new companies.

### **2.15.2 Transfer Provisions**

#### **2.15.2.1 Between the Tennessee Consolidated Retirement System and the Optional Retirement Program**

An employee who is eligible to participate in the Optional Retirement Program but who elected to participate in the Tennessee Consolidated Retirement System may transfer prospective membership from TCRS to the ORP as of July 1 of any year. However, employees may not transfer membership from the ORP to TCRS. An employee who elects to participate in the ORP is not eligible to participate in the TCRS while employed by an institution covered by the ORP.

When transferring membership, a member who has employee contributions in his TCRS account may transfer his individual account balance from TCRS to the ORP. Such transfer of contributions constitutes a termination of membership in TCRS and a waiver of all rights and benefits under TCRS. Since most individuals who made contributions to TCRS prior to July

1, 1981 would now be vested in TCRS and would have accrued a considerable amount of noncontributory service credit in TCRS, such transfers are extremely rare. Employees who were hired after July 1, 1981 would be transferring membership only since all contributions had been made by the employer.

When an employee is promoted from a non-exempt to an exempt position, the employee may transfer participation from TCRS to one of the optional retirement programs.

#### **2.15.2.2 Within the Optional Retirement Program**

After July 1, 1992, employees who participate in the ORP may direct employer contributions made on their behalf to one or more of the companies designated to provide annuity contracts under the state's ORP. Once funds are on deposit with a designated company, the participant may move those funds among the different investment accounts offered under that company's annuity contract, subject to the restrictions of the contract. The participant may authorize such internal transfers by telephone.

After July 1, 1992, employees may also transfer funds previously accumulated in the ORP among the companies designated to provide annuity contracts in Tennessee's Optional Retirement Program, subject to the restrictions of the products involved. After the participant completes the necessary applications, the funds will be transferred by check and reports will be provided to the participant's institution.

#### **2.15.3 Refunds**

Effective April 4, 1994, Public Chapter 710 was enacted to permit a participant who has separated from service and has an aggregate total of less than \$4,000 credited to his/her retirement account to receive a lump sum distribution of contributions upon the participant's written request and in any manner permitted by the companies holding the accounts.

Refunds shall require the completion of form(s) for both the participant's company/companies and the Tennessee Consolidated Retirement System. Verification of contributions and separation from service information shall be provided by the last employer; verification of an aggregate current balance of less than \$4,000 shall be provided by the participant in the form of current quarterly statement(s). Both forms must be returned to the company/companies in order for the lump sum distribution to be processed.

#### **2.15.4 Chancellor**

The Chancellor is authorized to establish any and all guidelines, rules, or requirements necessary and proper for the implementation of the optional retirement programs for the System or at any individual institution.

Source: SBR Meetings, March 4, 1977; June 26, 1981; March 19, 1982; September 30, 1983; December 14, 1984; June 26, 1992; December 9, 1994

Note: (a) The provisions of this policy under which regular full-time executive, administrative, and professional employees are eligible to participate in the optional retirement program became effective on July 1, 1983.

(b) Regular part-time employees became eligible for retirement system membership on July 1, 1984.

(c) On July 1, 1992, two additional companies were added in the optional retirement program. A total of three companies became available in the ORP.

TBR 5:01:03:03; 12/94; 03/95

## **2.16 Benefit in the Event of an Employee Death**

The Tennessee Board of Regents has established a procedure to ensure that survivors of deceased employees are promptly informed regarding payment of earned wages and any other benefits to which they may be entitled. Upon employment, employees will be provided a Designation of Beneficiary Form that will facilitate such disbursement in the event of death.

### **2.16.1 Notification Process**

The supervisor or department head of a deceased employee shall notify the Office of Human Resources of the employee's death, date of death, as well as the name of next of kin and/or the executor/administrator of the estate, if known.

Using the procedures outlined on the Survivor Assistance Report, the Office of Human Resources shall notify appropriate institutional personnel (Vice President and/or Dean, Payroll, etc.) and agencies/vendors (retirement, insurance, flexible benefits, supplemental annuities, etc.) of the employee's death.

In addition, the Office of Human Resources shall contact the survivor(s) and/or executor/administrator of the estate to advise them of available survivor assistance services and to request documentation required for release of final compensation payments.

### **2.16.2 Payment of Salary and Other Benefits**

The Office of Human Resources shall initiate the appropriate form to terminate the employee. Payment of earned salary and other benefits will be disbursed in accordance with TCA §30-2-103, TCA §8-50-808, and current IRS rules and regulations regarding taxation and social security deductions.

If the employee completed a Beneficiary in the Event of Death Form, payment(s) will be made to the beneficiary(ies), provided a death certificate or physician's statement has been received.

If the employee failed to complete such form, payment of wages will be made in accordance with TCA §30-2-103(b)(1), (2), and (3). Payment for accrued annual leave, sick leave and compensatory time shall be made to the same beneficiary designated for retirement benefits, unless otherwise indicated on the completed form.

TBR 5:01:03:03; 12/94; May 5, 1998 Presidents Meeting

## **2.17 Benefits**

Information on retirement benefits, health insurance, and other benefits is available online at the Office of Human Resources web site <http://www.etsu.edu/humanres/retire/default.aspx> .

## **2.18 Faculty Role in Departmental Matters: Administrators with Faculty Status**

In order to ensure free discussion, clarify roles, and avoid any semblance of conflict of interest or undue influence, faculty members in administrative positions other than departmental chairs will not participate or vote in department matters or meetings. Exceptions to this university policy may be made only by the affirmative majority vote of the faculty of the affected department. The protocol for documenting any exception to this policy will be implemented at the time of initial appointment of any individual who has faculty status but is serving in an administrative position. If a department by affirmative majority vote accords an exception to the policy for an individual, that fact will be noted in writing by the department chair and will be recorded in documentation of the administrative appointment.