



## FACULTY SENATE MINUTES

<b>Meeting Date:</b>	02/08/2021	<b>Time:</b>	14:45 – 16:30	<b>Location:</b>	Zoom
<b>Next Meeting:</b>	02/22/2021	<b>Scribe:</b>			Ashley Sergiadis
<b>Present:</b>	Alexander, Katelyn; Beatty, Kate; Blackhart, Ginette; Blackwell, Roger; Brown, Patrick; Burford, Mike; Burns, Bracken; Byington, Randy; Chen, Yi-Yang; Cherry, Donna; Collins, Charles; De Oliveira Fiuza, Felipe; Dunn, Andrew; Ecay, Thomas; Elangovan, Saravanan; Ellis, Jon; Emma, Todd; Epps, Susan; Evanshen, Pam; Foley, Virginia; Fraysier, Donna; Garris, Bill; Gomez-Sobrino, Isabel; Gray, Jeffrey; Hagemeyer, Nick; Hawthorne, Sean; Hemphill, Bill; Hemphill, Jean; Hendrix, Stephen; Holmes, Alan; Johnson, Jeanna Michelle (Mikki); Johnson, Leigh; Johnson, Michelle; Kahn, Shoeb; Kim, Sookhym; Kruppa, Michael; Livingston, James; Lyons, Renee; Mackara, Fred; McGarry, Theresa; Nivens, Ryan; O'Neil, Kason; Park, Esther; Peterson, Jonathan; Ramsey, Priscilla; Sargsyan, Alex; Sergiadis, Ashley; Stevens, Alan; Tai, Chih-Che; Thompson, Beth Ann; Walden, Rachel; Waters, Susan				
<b>Absent:</b>	Funk, Bobby; Mitchell, Holly				
<b>Excused:</b>					

### Agenda Items

Meeting called to order
1. Celebrations
2. Introductions of Guests
3. Announcements
4. Approval of Minutes
5. Action Items
6. Information Items
7. Old Business
8. New Business
9. Comments from Guests
10. Final Comments/Announcements from Senators
11. Adjourn

### DISCUSSIONS

1. Celebrations <ul style="list-style-type: none"> <li>1.1 <b>Byington</b> announced that he has officially completed six months of chemotherapy and is now in the monitoring phase. He is looking forward to having more stamina and for his taste to come back.</li> <li>1.2 <b>Hendrix</b> announced that Dr. Kate Beatty has joined the Faculty Senate. She is the replacement for Dr. Ken Silver who is enjoying his new role in life. She was selected by the College of Public Health to continue to fill out that term.</li> </ul>
2. Introductions of Guests <ul style="list-style-type: none"> <li>2.1 Amy Johnson, Associate Provost for Faculty &amp; Director, Center for Teaching Excellence</li> <li>2.2 Pharmacy students on academic rotation introduced themselves: Max Lamb (student of Dr. Hagemeyer), Dave McWethy (student of Hagemeyer), Holly Adams (student of Dr. Gray), and April Weaver (student of</li> </ul>



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Dr. Gray)

### 3. Announcements

3.1 **Epps** announced that the 1911 society applications are available for students. If you have students who you think might be good candidates, please encourage them to submit their applications. **Hendrix** thanked Senator Epps (Faculty athletics representative) and Senator Stephens (Faculty Senate representative) for representing us on the committee.

3.2 **Brown** reminded everyone to change their Zoom name to their first and last name so Senator Sergiadis can take roll.

### 4. Approval of Minutes

**Hendrix** questioned whether there was an objection to approving the minutes from the 01/25/2021 meeting. **Sergiadis** stated that she needed to remove Bill Stone from the attendance portion of the minutes. His term ended December 2020 due to retirement.

**No Objection: Minutes Approved**

### 5. Action Items

None.

### 6. Information Items

6.1 Handbook Committee Update – Dr. Epps  
None.

6.2 Board of Trustees Report – Dr. Foley  
Board of Trustees meets in person on Friday, February 19<sup>th</sup>. Only the Board and staff will be allowed to attend in person, but the meetings will be streamed. Sometime this week the materials should be posted as well as the links to attend the meeting virtually.

6.3 T&P Working Group Feedback – Mr. Hendrix  
Several Senators compiled the list of comments and feedback received by the working group. These were shared as part of the packet of information for today's meeting. It is the intent of the Senate to provide those feedback documents to the originating committee who can then adopt them as they see fit.

Senators discussed the feedback. [The following discussion is not a word-for-word transcript. Statements and questions by Senators may be edited and summarized for clarity.]

**Emma:** My colleague brought up the Termination for Adequate Clause Policy, b and c. Part of the tenure process was to protect tenured faculty when the state and government was out to get them. One of the original cases that my colleague had cited was the faculty member that was being persecuted for communist beliefs. He was being removed and charged with a crime. This brought up the willful failure to perform duties and responsibilities as well as the conviction for a felony crime. Both of those would fall under cases that had been legally defended in the past by tenure and the courts. It struck me that another faculty member was quite upset about these clauses.

**Hendrix:** Thank you for your feedback. I encourage you and your colleague to submit this during the comment period.

**Byington:** The section of the document [Termination for Adequate Clause Policy] must be in concert with Tennessee state law. You might go to the TCA, the Tennessee Code Annotated, which you can find online and see if that verbiage is directly from the law.



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**Johnson:** Mark Fulks served on the committee that put these policies forward. I do not think there would be anything in the policy that was against federal or state law. I welcome the feedback from Senator Emma and his colleague. I mentioned to this body before that there would be a 30-day public comment period. After talking with Kay Lennon in the Policy/Compliance Office, there will not be a 30-day comment period. It will be a 15-day comment period, because that is what the policy on policy requires. It cannot be longer than that, because that was a policy that was voted on by several different entities and they debated quite substantially the length of time for the public comment period. It is possible that should the public comment period generate a large number of comments, the policy would be sent back to the committee followed by a second public comment period.

**Hendrix:** I think that speaks volumes to the fact that as a Faculty Senate it is part of our job to make sure that we encourage our constituents to review and comment on the policies.

**Johnson:** I am going to discuss with the provost's team this afternoon the possibility of having it go out under the provost moniker as well, not just in the Monday e-mail.

**Hendrix:** I was going to ask if the provost's office would consider sending the information the day that it opens.

**Byington:** Are you going to post the document that we have in the public comment on behalf of Faculty Senate?

**Hendrix:** Yes, I can.

**Epps:** The public comment would be about the policy itself. Depending on what the originating committee does with the comments that came from Faculty Senate, they could very well be addressed in the version that goes out. Posting comments from Senate may be confusing if the committee addressed those things in the next version. I want to make sure that we are clear on what we are looking at and not assuming that things were not addressed.

**Hendrix:** That is a very valid point. Dr. Johnson, could we receive feedback from the committee concerning the comments?

**Johnson:** Yes, we will provide feedback on your feedback indicating what we actually did with the feedback. Then, you would have an opportunity to respond again as a Senate during the public comment period. Would that work?

**Hendrix:** Yes, that would be perfect.

### 6.4 Working Groups Update – Mr. Hendrix

We had 13 folks who responded to the survey to gauge the interest of work groups. The work groups will work through the remainder of the Spring and Summer semesters, presenting the deliverables in August. Hendrix shared the link to the survey and encouraged everyone to complete the survey.

### 6.5 Celebration Discussion Update – Mr. Hendrix

The celebration discussions document combines each of the groups' feedback from our last meeting. Eight groups gave us feedback on ways in which we could celebrate both as a Senate as well as an institution. Executive Committee will be looking through those comments and will forward them to senior leaders on campus as well as note ways in which Senate can also participate in celebrations.

### 6.6 TUFS Update – Mr. Hendrix

The Tennessee University Faculty Senates met on January 30. In the Fall, faculty had the opportunity to participate in a survey that looked at workloads for faculty, specifically at fall-to-fall and summer-to-summer comparisons. The Faculty Workloads in the Age of COVID-19 Executive Summary (<https://tnfacultyssenates.org/wp-content/uploads/2021/02/TUFS-Workload-Feb2021.pdf>) represent all the public institutions across the state of Tennessee. Some of the information you will find in the report include the amount of time faculty spent preparing Summer 2020 versus Summer 2019, the amount of



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preparation by 9-month versus 10-month faculty, amount of time faculty spent preparing pre-COVID during the summer months, and comparisons of tenured versus tenured track versus non-tenured faculty. Hendrix will provide this report to senior leaders across campus and discuss it with Dr. Noland during the Executive Committee's meeting and potentially next week in our meeting with Dr. Bishop. There will be a second report in April that reflects the actions and activities at ETSU as represented by the faculty who responded to that survey. We had an outstanding response rate, either the best or second best in the state of Tennessee.

### 6.7 University Committees Report

6.7.1 University Research Advisory Council – Dr. Peterson  
Nothing to report.

6.7.2 Conflict of Interest Disclosure Review Committee – Dr. Cherry  
Nothing to report.

6.7.3 Quality Effectiveness Subcommittee – Dr. Fraysier  
Nothing to report. Scheduled to meet February 17<sup>th</sup>.

### 6.7.4 ITS Governance – Mr. Hemphill (B.)

Hemphill (B.) provided updates relevant to faculty from the ITS Governance meeting on February 8.

- A five-year contract for D2L has been signed. There are no changes to our Content Management System.
- There will be some internal changes within ITS over the next five or six months. Michael Laws, Robert Nelson and Steve Webb are going to be taking on some new roles, as ITS fades out some of the external consultants.
- ETSU has applied for more CARES Act (Coronavirus Relief) funding including AppsStream.
- ITS is looking at the number of on-site TAF-funded computer labs and/or boxes within those labs. Students like working online at home through the labs. ITS is looking at how to balance the purchase of boxes in labs with AppsStream, but that has no ability for Adobe Creative Cloud software virtualization.
- As a response to COVID19, ITS made the following equipment and internet improvements.
  - They have added ~150 cameras in classrooms and a number of microphones. They are aware of rooms that do not have any kind of sonic enhancement (e.g. drapes) and will be working on buying (wired &/or wireless) lavalier microphones (AKA lapel mics).
  - They have added additional Wi-Fi coverage. Right now, there are over 200 outside access points. The map of Wi-Fi coverage was shared. [Map is available as an additional document at the end of the minutes.] They are looking to increase coverage, specifically in the outer periphery (intermural areas such as soccer, baseball, and softball stadiums.) This speaks to increasing the consistency of the student experience and space utilization of infrastructure in place. Data shows that students will come in and work in their vehicles so they do not have to go out. If they do have an in-person class, they will go there and then come back to their cars to study away from people. The initial Wi-Fi access and maintenance costs (nodes and switches) have all been added with 1-gigabyte capacity. We were down to 100 megabits, so this is a 10 times increase in throughput for the students to use.
  - We have no monthly rentals or those types of costs. Hotspots are not as popular as anticipated (each hot spot \$36/month). They keep a small number for SACS, but they might drop the number of hotspots depending on student usage.
- There is a new project management tool ([etsu.teamdynamix.com](http://etsu.teamdynamix.com)) for the prioritization and communication of ITS projects.
- Contact Dr. Karen King with your "pain points," concerns, ITS projects that you have needed that have had no action, information regarding ITS projects such as programming linkages to Banner data, etc.
- Fifteen machines still on the network run Windows 7 and have an extended usage license. If you have a Window 7 machine, contact Vincent Thompson. Microsoft has a two-year agreement. Microsoft's extended use is going to expire.



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- ETSU's email for life for alumni and faculty emeriti has many issues and is very costly. There are legal issues, especially for faculty and staff, and licensing problems. We have over 30,000 active email accounts because alumni includes anyone who ever enrolled in a class. Departures automatically forward to other people within a department for action. For example, department chairs would get your mail if you quit but did not keep your email. People need email because of access to documents, mail to former employees, etc. However, ETSU accounts are public, not private accounts. The risk of having all these people having access to the ETSU email server is increasing over time because internal accounts allow for institutional-wide internal hacking. There is also a moral issue of .edu discounts. If you apply for an educational discount because you have an .edu domain, is that really applicable to you? These issues are already too big for us to hand. There is now a possibility of persistent role based emails for advisors, executive aids, etc. When people in those roles leave or transfer, their email would not go with them. Since our license is based upon FTE with "floats" such as a few faculty emeriti, they are looking at separate domain such as "ETSU\_Alumni.org." This would allow people to have an ETSU affiliation with email without putting the university at risk.
- Question of who decides who gets access to a former employee's email when they leave was discussed. It was suggested to follow the supervisory chain of command, as the ETSU email is not a personal email account. The machine and account are state-owned except for items covered by HIPPA, FERPA, etc. ITS wants consistency and this extends far beyond ITS. It also includes departments getting access to D2L resources so a disgruntled faculty member cannot come and delete their entire D2L footprint.
- Running a PC online all day with administrative access is not a good idea. The meeting included an insecurity update. We have inside versus outside attacks. Outside attacks include all network access, VPN, remote desktop, USBs, etc. They are preparing a roadmap, identifying priority items of vulnerability access, how outside agents punch in, and unpatched servers of Windows seven. There is also a deterrence piece where they are going to start looking at how we provide backups for faculty so that we are not held with ransomware that would cause us to lose mission critical data and access to data. They are going to do asset management by identifying rogue machines. The FBI has identified ETSU's data from research as the primary asset for outside hackers. ITS is looking at protection processes targeted by academic units. We might have some changes regarding our systems, lab systems, and logging in.
- Another problem is two-factor authentication. RPD (remote desktop) never had it. Two-factor authentication was dropped from VPN when everybody went home to work. Now, they are looking at changing that by clicking accept on a phone or fingerprint wipe on trusted devices. ETSU faculty and staff have many compromised computers at home. ITS noticed compromising activity coming in from user's home computers logged in under VPN. There is talk about getting rid of VPN and just going with RDP. ITS is looking at Duo if Microsoft does not work with their two-factor authentication.
- They are working the CloudPhone. Calls coming into the university phone can go directly to your personal phone, but you must have a headset. They are going to roll the service out on February 15th. Sign up now if you want your university phone to go to your personal phone.
- Final upgrades are coming through in DegreeWorks in a couple of weeks.

**Hemphill (B.)** fielded comments and questions. [The following discussion is not a word-for-word transcript. Statements and questions by Senators may be edited and summarized for clarity.]

**Foley:** We do need to be able to reach alumni.

**Epps:** Having an email through alumni could be a good way to do it.

**Ecay:** Is there a map of Wi-Fi coverage on the VA campus?

**Hemphill (B.):** He did not show that, so my guess is maybe. I would ask Dr. King. There was a number of slides that we did not get to.

**Mackara:** You mentioned linking your home phone with your office phone. How do you go about doing that?

**Park:** Where do we sign up for linking phone numbers?



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**Hemphill (B.):** The Office of the President sent out an email on Monday.

**Hendrix:** [Provided a link: <https://t.e2ma.net/click/0z7yme/o643xy/wkh58o>]

**Fiuza:** I needed to change my phone number to a 423 area code for this to work.

**O'Neil:** I created a 423 Google phone number, so I did not have to change my number.

**Peterson:** You mentioned that they were going to do away with the alumni emails again. I remember when I first started here the students would lose their email upon graduation. That became an issue with recently graduating students, especially during the summer months when they planned on continuing at ETSU in graduate school. Are they putting any sort of timeframe on the termination of student email? Or, should we be suggesting, they say a year after graduation, you shut it down? I remember trying to email a student shortly after graduation who was working in the lab. I had to text her because they shut down her email. This was back when we had GoldLink.

**Hemphill (B.):** This was not brought up specifically, but it was mentioned how quick it would be done. This was a new item for discussion, so they are aware of the ramifications.

**Hendrix:** I have an email request asking Dr. King if she would like to join us in Faculty Senate either in March or in April. We are going to work on a time to have her come and discuss some of the new features that will be coming to D2L after the academic term concludes.

**Emma:** I love the idea of the remote computer. Have they given any thought to the internet for students that are not on campus? Because I know, we are doing a lot of remote stuff over in digital media and it works great. However, we have student issues where they just have crappy Internet. Do they have any thoughts on that? I imagine if you put more money into the virtual computer stuff, you are going to put less money into the real computer stuff.

**Hemphill (B.):** Money is never far from their minds. They were talking about balancing TAF funding. Do we need as many physical boxes as we have historically had? Those assets are completely underutilized until we are allowing people to come in through AppStream. Nobody has any good, hard answers. I would ask Dr. King and ITS. They want to know what faculty think because we are the front line with the students. I do not think we can do anything about student internet access.

### 6.5 University Council – Mr. Hendrix

**Hendrix** provided updates from the University Counsel meeting on February 8 at 7:00 pm.

- During the State of the State Address, Governor Lee will discuss priorities and budgets. There are hopes that some of the capital projects on the tax agenda will move through, including the humanities building. At this time, 800 bills have been filed in the Tennessee House legislature and Tennessee State legislature. They are anticipating more at the beginning of next week, which is the deadline for all bills to be filed at the state level.
- Day of giving is April 15<sup>th</sup>. Bucks help Bucs will be part of that overall campaign.
- Enrollment for Spring 2021 is down five percent over last Spring, but we are still within our budget intervals. There are no concerns from the administrative level concerning any additional budget reductions. We are down 262 applicants for Fall 2021 as compared to Fall 2020. The students that we have accepted is up 777. Admissions and enrollment are very confident in our fall numbers.
- I submitted to you a letter from University Counsel concerning FERPA in particular. If you are recording an online class that has student information about that semester, those videos cannot be used after that semester. It would be considered a violation of FERPA. Any student information that appears within our videos must be restricted to only that semester in which the videos are to be used. Beyond that, you would have to either record new videos or some other mechanism for teaching your courses.
- 125 (Part Two) will soon begin with a targeted goal of presenting the Board of Trustees a final report by November for approval.

### 6.7 University Council Sub-Council on Committees in Governance – Dr. Epps

The sub-council meets every other week this semester to look at the structure of our standing committees and the process for selecting people to serve on committees. Chairs of current standing committees will be getting a message from us soon. There are a number of groups that are listed under governance committees that are not governance like Presidential Grant in Aid, Instructional



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Development Committee, Research Development Committee, etc. These are opportunities for professional development, not governance bodies. We are looking at these to see where they should be listed. We are looking for input on those listed on the governance page such as if the committee never meets (excluding committees that meet on an as needed basis.) We will have a report and proposal to University Council next month.

**Epps** fielded comments and questions. [The following discussion is not a word-for-word transcript. Statements and questions by Senators may be edited and summarized for clarity.]

**McGarry:** It sounds like you are duplicating what the shared governance subcommittee in Faculty Senate spent at least a year doing. Whatever happened to the report and all the recommendations we made.

**Lyons:** I agree Senator McGarry.

**Epps:** This is something that Drs. Bishop and Noland charged the University Council with doing because it also involved Faculty and Staff Senates, SGA, and the Council of Chairs. There is a representative from each one of those groups, because we all have some of the same issues with staffing committees. It is more than just faculty involvement.

**McGarry:** Did they not give you a report from the survey, our spreadsheet, and our whole list of recommendations that Stephen gave to the President's Office?

**Hemphill (J.):** There was an oral and written report. Senator Lyon's compiled it with the committee input.

**McGarry:** I think we voted on the list of recommendations.

**Epps:** If somebody has a copy of that, forward it to me and I will make sure that the rest of the team gets that. Were you only looking at it from a faculty perspective or were you looking at it from staff and SGA perspective as well?

**McGarry:** Faculty.

**Hendrix:** I will check my records and see if I have that available. If not, I will reach out to the Dr. Lyons or Dr. McGarry to confirm them.

7. Old Business

None.

8. New Business

8.1 Creation of Faculty Trustee Election Ballot – Mr. Hendrix

It is the job of the Faculty Senate to create the faculty trustee election ballot, which will consist of two to three nominees to be voted on by the full faculty in March. Nominations have been opened since late November and closed on January the 31<sup>st</sup>. We received two nominations for the position: Virginia Foley and Paul Trogen. **Byington** asked if Dr. Trogen was aware that he would be returning to the Faculty Senate if he were elected. **Hendrix** responded that he should be aware.

**Hendrix called for any objection to the creation of a ballot with Virginia Foley and Paul Trogen.**

**No objection: Ballot created.** Hendrix will reach out to the two candidates over the next couple of days asking them to create a brief video, introducing themselves to the faculty. Then, it will go out in March for a vote by the full faculty.

9. Comments from Guest



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None.

10. Final Comments/Announcements from Senators

None.

11. Adjourn

**Motion to Adjourn: Patrick Brown**  
**Second: [Unable to Identify]**  
**Meeting Adjourned**

*Please notify Senator Ashley Sergiadis ([sergiadis@etsu.edu](mailto:sergiadis@etsu.edu), Faculty Senate Secretary, 2020-2021) of any changes or corrections to the minutes.*



## Policy on Faculty Ranks and Promotion

Responsible Official: Provost

Responsible Office: Office of the Provost

### **Policy Purpose:**

The purpose of this policy is to define faculty ranks and describe the principles, guidelines, and process of faculty promotion.

### **Policy Statement:**

East Tennessee State University grants 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.

Chairs and deans should inform faculty of expectations for their performance, including requirements for promotion. Any alterations in these expectations should be made in writing, most often through the annual faculty evaluation process.

### **Faculty Ranks**

Faculty will normally be employed at the rank of instructor, assistant professor, associate professor, or professor; clinical instructor, clinical assistant professor, clinical associate professor, or clinical professor; research instructor, research assistant professor, research associate professor, or research professor; professor of practice; or lecturer, senior lecturer, or master lecturer.

### **Minimum Requirements for Promotion or Appointment to Ranks**

#### Terminal Degree Requirement

Except under unusual circumstances, to be promoted or appointed to ranks above instructor, individuals must possess an earned terminal degree from a regionally accredited institution or comparably recognized non-U.S. institution in the instructional discipline or related area. The terminal degree does not necessarily qualify one for a given rank, nor does receipt of the terminal degree guarantee promotion.

ETSU uses national discipline standards to identify terminal degrees in each discipline. Terminal degrees include the following:

- a. Earned doctorates
- b. M.F.A. (studio art, creative writing, theatre, etc.)
- c. Master's degree in library and information science or studies accredited by the

American Library Association

- d. M.M. (certain specialties in music)
- e. Masters in Engineering or Masters with Major in Engineering (engineering technology)

The J.D. may be considered a terminal degree in disciplines directly associated with legal studies.

When applicants do not have a terminal degree but have a record of achievement in a given field, they may request credit for equivalent work experience. ETSU adheres to SACS guidelines for faculty credentials.

#### Years in Rank

Faculty will ordinarily apply for promotion after completing five full years in their current rank. The president may recommend that the Board of Trustees approve promotions that are exceptions to the years-in-rank requirement on the basis of exceptional academic or other achievements.

Only one year of a leave of absence for scholarly recognition will be credited toward satisfying the years-in-rank requirement.

#### Credit for Prior Service

At the discretion of the president, years in rank at another institution or at ETSU in a prior appointment may be awarded. Credit for prior service must be stated in the letter of hire to the faculty appointment.

- a. Credit may be given for a maximum of three years in rank at other colleges, universities or institutes.
- b. Credit may be given for a maximum of three years in rank in an earlier appointment at ETSU followed by a break in service.

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

ETSU promotes and appoints faculty to ranks in light of their contributions to one or more aspects of the university's threefold mission. Promotion to higher ranks requires successively higher levels of achievement. Candidates for promotion to higher ranks should demonstrate greater quality and quantity of achievement than candidates for promotion to lower ranks.

All academic departments must create written guidelines for applying university promotion criteria in their academic disciplines. Colleges and other units that employ promotable faculty, but do not have departments, must also create such guidelines. In addition to writing guidelines for promotion of tenure-track and tenured faculty, academic units employing faculty in non-tenurable but promotable roles must write guidelines for evaluating their applications for promotion. It is the responsibility of academic units to determine how work done in

Commented [AGK1]: Is this necessary? I believe someone in a clinical or research position can convert to tenure track within the first three years and retain those years in rank even without a break in service.

administrative assignments will be considered in evaluating applications for promotion. Academic units employing lecturers should consult ETSU's policy of promotion of lecturers for additional information.

Academic-unit guidelines must align with and cannot be less rigorous than university-level promotion criteria. They become bona fide only when they have been approved in writing by promotable faculty in the academic unit, the dean, and the provost; and they are posted to ETSU's official online repository for such guidelines.

- a. All levels of review must use the academic unit's guidelines when evaluating a promotion application by a faculty member in that unit.
- b. If an academic unit revises its guidelines for promotion, faculty applying for promotion will be evaluated using the guidelines in effect at the time of their most recent promotion at ETSU or, if they have not yet been promoted here, at the time of their hire. If faculty state in their applications for promotion that they wish to be evaluated using current guidelines, those guidelines will apply.

#### Teaching

Teaching includes, but is not limited to, the following activities:

- a. instruction in the classroom or online
- b. supervising undergraduate research or creative activity and honors theses
- c. supervising graduate students, including chairing theses and dissertations and serving on graduate examination and dissertation committees
- d. mentoring undergraduate and graduate students (note: academic advisement of students is professional service)
- e. developing instructional resources
- f. creating or redesigning disciplinary or interdisciplinary programs or courses

Candidates whose work assignments include teaching should provide evidence of the quality of their teaching. Examples of such evidence include, but are not limited to, the following:

- a. demonstrations of how assessments and assignments in courses align with course or program learning outcomes
- b. descriptions of how the candidate developed or revised instructional resources or teaching practices as a result of participation in instructional development or in response to university-approved student assessments of instruction, peer reviews, or other evaluations of teaching
- c. data analyses, published or unpublished, of how the candidate's instructional resources

or teaching practices have affected student learning or performance in a course or in subsequent courses

- d. descriptions of how the scholarly literature on teaching and learning has guided the candidate's teaching practices
- e. descriptions of how the candidate has supported students' college success (e.g., participating in ETSU's Academic Alert process; teaching students study skills; or interacting with students outside class)
- f. descriptions of how the candidate has created an inclusive and accessible instructional environment
- g. awards and other recognition of the candidate's teaching

Candidates whose work assignments include teaching must also include data from university-approved student assessments of instruction for every course evaluated since the appointment at rank upon hire or the most recent promotion at ETSU, whichever comes later.

#### Research, Scholarship, and Creative Activity

Research, scholarly, and creative activity includes, but is not limited to, the following:

- a. Books or chapters in books
- b. Articles in refereed or non-refereed journals
- c. Monographs
- d. Conference proceedings, refereed and non-refereed
- e. Published reviews of research, scholarly or creative works (e.g., books, performances, software)
- f. Presentations of research or scholarly work at professional meetings
- g. Performances, compositions, and exhibitions
- h. Research or creative grant proposals (internal or external)
- i. Computer software or app developed
- j. Digital media projects
- k. Open educational resources created
- l. Curricula authored
- m. Open data sets created

Candidates must provide complete and accurate documentation of their research, scholarly, and creative activity. Documentation should include the following information:

- a. complete citations for publications, presentations, and creative work such as performances and exhibitions
- b. refereed or non-refereed status of journals and other publication outlets
- c. the candidate's role in jointly authored articles and papers

To the degree possible given the nature of the work, research, scholarly, and creative works should be available for examination by those reviewing promotion applications.

In some cases expertise outside the university may be needed to evaluate a candidate's research, scholarly, or creative activity. The chair and the candidate must agree on individual(s) selected as external reviewers.

Candidates whose work assignments include research, scholarly, or creative activity should provide evidence of the quality of this activity. Such evidence includes, but is not limited to, the following:

- a. For books: Citations, reviews, and evidence of impact (e.g., the reputation of the publisher and published reviews; for textbooks, number of adoptions)
- b. For articles: Reputation of the journal, including whether it is refereed and evidence of the article's impact (e.g., h-index, journal impact factor, number of citations, open science, open access, downloads)
- c. For presentations at professional conferences: Scope of the conference (e.g., regional, national, international); selection process for presentations (e.g., blind peer reviewed, invited); attendance at presentation; communications received following the presentation; downloads; session evaluations
- d. For performances, compositions, exhibitions, other artistic works, computer software, and digital media projects: Written reviews, jury evaluations, selection process, attendance or number of views (e.g., YouTube), evidence of the work's impact
- e. For funded research or creative grant proposals: funding statistics, reputation of the funding organization, indirect funds to the university
- f. For unfunded research or creative grant proposals: Reviewer feedback, scores, funding stats, evidence of resubmission in response to feedback
- g. For software, digital media, curricula, open data sets: Independent external reviews, usage or adoption data, number of citations, number of products made, number of API hits, and downloads from open data sets
- h. Awards and other recognition of the candidate's research, scholarly, or creative activity

### Professional Service

Professional service comprises university service, public service, and service to the discipline.

- a. University service includes, but is not limited to, the following:
  1. service on department, college and university committees
  2. service on the Faculty Senate, including leadership roles
  3. advisement for department, college or university student organizations
  4. academic advisement of students (note: mentoring students is an instructional activity)
- b. Public service is sharing professional expertise related to one's role at ETSU with the community or the larger society that directly supports the university's goals and mission. Public service includes, but is not limited to, the following:
  - a. public-service grant proposals
  - b. consulting or other services for business, government, or non-profit organizations
- c. Service to the discipline includes, but is not limited to, the following:
  1. participation in state, regional or national professional associations related to the candidate's discipline or the teaching profession generally
  2. leadership of professional associations
  3. journal editorships
  4. peer review of articles and grant proposals
  5. guest lecturing at other higher education institutions
  6. grant reviewer
  7. membership on grant advisory Boards

Candidates whose work assignments include professional service should describe their service activities and provide evidence of the quality of their service. Examples of evidence of the quality of professional service include, but are not limited to, the following:

- a. letters from individuals representing groups or organizations for which the candidate has provided public service attesting to the value and results of that service
- b. program-evaluation or other data demonstrating the results of the candidate's service to groups or organizations for which the candidate has provided public service

- c. letters from department, college, or university committee chairs describing the candidate's specific contributions to those committees
  - d. descriptions of specific contributions to professional organizations of which the candidate is a member or officer
  - e. funding of public-service grant proposals, including the reputation of the funding body
  - f. awards and other recognition of the candidate's professional service
- documentation of the quality of the candidate's work as an external reviewer (e.g., Publons)

#### Other Factors for Consideration

Candidates should describe their engagement in professional development related to teaching; professional service; or research, scholarship, or creative activity. Examples include courses taken for credit or audited, seminars, workshops, training programs, and webinars attended.

#### **Review of Promotion Applications**

Applications for promotion are reviewed by the department promotion committee; department chair; college tenure and promotion committee; dean, provost; and president.

Although promotion recommendations will ordinarily follow the ~~calendar~~ sequence described above, the president may submit such recommendations for individuals to the Board of Trustees at other times when, in the judgment of the academic department, the college, and the provost, it is appropriate to do so.

Recommendations and reports entered into the online system by committees and officials reviewing promotion applications become integral parts of the application. No additional documentation may be added to an application after September 15, except at the request of the current level of review and with the permission of the candidate or vice versa.

#### **Department Promotion Committee**

A committee of all faculty in the candidate's department holding academic rank equal to or higher than that sought by the candidate, including faculty in non-tenurable but promotable roles and not including the department chair, will review the application for promotion.

The committee should consist of a minimum of three faculty. If, in order to achieve the minimum size, faculty from other departments must serve on the committee, the academic department chair and the candidate must agree on the individual(s) selected. Academic department chairs and assistant and associate deans in a college may not serve on promotion committees of academic departments in that college, but they may serve on department committees in other colleges.

Commented [AGK2]: Moved down from previous paragraph.

### College or School Tenure and Promotion Committee

Not later than October 1<sup>st</sup> of each year, the dean of each college or school will establish a college or school tenure and promotion committee.

- a. The size of the committee should be from 6 to 14 members, who serve staggered 2- or 3-year terms.
- b. The dean should ensure adequate representation from the tenured faculty.
- c. All members should have at least three years of service at ETSU.
- d. 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.
- e. At least two-thirds of the members of the committee should hold the rank of associate professor or professor.
- f. Department chairs and assistant and associate deans may serve on other colleges' or schools' committees, but not on their own colleges' or schools' committees.
- g. Members of the college or school committee from a candidate's home department may not be present for the committee's discussion of the candidate and may not vote on that candidate's tenure or promotion.
- h. Only members of the college or school committee holding rank at or above that for which a faculty member is applying may vote on promotion applications.
- i. At least three members of the college or school committee must be eligible to vote on each tenure or promotion application the committee will review.
- j. When there are not sufficient numbers of faculty within a college or school eligible to serve on its tenure and promotion committee, the dean will request participation of faculty in other colleges or schools. ~~Academic department chairs, assistant and associate deans may serve on college tenure and promotion committees in colleges or schools other than their own.~~
- k. Individuals chosen or elected to serve on their college or schools' tenure and promotion committees who apply for promotion during their terms of service must excuse themselves from the committee in that year.
- l. In the event a college tenure and promotion committee member must be replaced, the college will obtain a replacement on the same basis as the individual was appointed.
- m. The dean will appoint the chair of the committee in consultation with the members of the committee.

The college or school committee will function in the role of advisor to the dean from October 15 until December 15 of each year. When evaluating promotion applications it should do the

Commented [AGK3]: There is little point in allowing one-third of the committee to be below the rank of associate professor.

Commented [AGK4]: For a committee of 6 to 14, three seems a very small number.

Commented [AGK5]: This was stated previously.

Commented [AGK6]: Why is the college committee advisory to the dean any more than the department committee is advisory to the chair? Elsewhere the policy emphasizes that all levels are independent.



following:

- a. ensure that university criteria for promotion are applied correctly and uniformly to all applicants
- b. consider the college's approved mission, and
- c. apply to each candidate the *bona fide* promotion guidelines of his or her academic department.

Commented [AGK7]: Changed order to university, college, department.

### **Procedure:**

#### **Review of Promotion Applications**

Each level of review makes an independent recommendation informed by the recommendations and narrative statements of prior levels. Each reviewing level should remand an application to any preceding level if it finds the preceding level's review to be incomplete or otherwise unacceptable. Candidates, department chairs, and deans are able to view recommendations and reports at all levels of the review process when deadlines for submission pass.

Members of committees reviewing promotion applications have qualified privilege of academic confidentiality against disclosure of their individual votes unless evidence casts doubt upon the integrity of a committee.

#### **Department Promotion Committee's Review**

The chair of the department promotion committee will upload a written evaluation of the application and enter the committee's vote recommending or not recommending promotion in the online system. ~~Dissenters may include their views~~ Dissenting views should be represented in this report. All committee members must sign the statement.

If a college or other academic unit has only one or no academic departments, the review by a department promotion committee will not occur, and the application will go directly to the college or school tenure and promotion committee on the date indicated on the calendar for submission and review of promotion applications.

#### **Department Chair's Review**

The department chair will enter a recommendation in the online system and upload a written evaluation of the candidate's application.

If a department chair applies for promotion or if a college or other academic unit has only one or no academic departments, ~~this level of review the department chair's review~~ will not occur, and the application will go directly to the college or school tenure and promotion committee on the date indicated on the calendar for submission and review of promotion applications.

### College or School Tenure and Promotion Committee's Review

The chair of the college or school committee will upload a written evaluation of the application and enter the committee's vote recommending or not recommending promotion in the online system. ~~Dissenters may include their views~~ Dissenting views should be represented in this report. All committee members must sign the statement.

### Dean's Review

The dean will enter a recommendation in the online system and upload a written evaluation of the application. In the event of a negative recommendation, the candidate may initiate an appeal to the university promotion and tenure appeals committee, as described in ETSU's policy on tenure and promotion appeals.

### Provost's Review

The provost will enter a recommendation and supporting statement in the online system. If the provost, in the face of prior approvals, favors disapproval of a promotion application, he or she will meet with the department chair and dean before making a final decision. In the event of a negative recommendation from the provost and if the candidate has not initiated an earlier appeal, he or she may initiate an appeal to the university promotion and tenure appeals committee, as described in ETSU's policy on tenure and promotion appeals.

### President's Review

All promotion applications will be forwarded to the president regardless of a recommendation made by any previous level of review, unless the candidate chooses to withdraw his or her application. Only the candidate has the right to withdraw an application that has been filed.

The president will enter a recommendation and supporting statement in the online system.

The president will submit a list of candidates recommended for promotion to the Board of Trustees for final action. The president's office will subsequently notify candidates of the Board's actions through the online system and will also notify Human Resources, which will place appropriate records in employees' personnel files.

### Calendar

The following calendar describes tasks and deadlines in the annual process for submission and review of applications for promotion. Dates in bold denote tasks done in ETSU's online system for managing tenure and promotion applications and reviews.

Calendar for Submission and Review of Promotion Applications

Deadline	Responsible	Task
May 1	Human resources	Distributes lists of eligible faculty to chairs, deans, provost, and the president

T&P Working Group Feedback Document 1

May 15	Department chair	Notifies in writing faculty eligible to apply in September
June 30	Candidate	Notifies in writing department chair or dean of intent to apply
August 1	Department chair	Forwards names of candidates to college online tenure and promotion system administrator
August 15	College online tenure and promotion system administrator	Notifies candidates that online profiles have been created. Candidates may begin uploading documents.
<b>September 15</b>	Candidate	Uploads supporting document, narrative statement, and curriculum vita, course load, and student assessments of instruction
	Department chair	Uploads external reviews if applicable
<b>October 7</b>	Department committee chair	Uploads committee report Enters committee vote Signs electronically
	Department committee members	Sign electronically
<b>October 15</b>	Department chair	Uploads chair's report Indicates recommendation Signs electronically
<b>December 15</b>	College committee chair	Uploads committee report Enters committee vote Signs electronically
	College committee members	Sign electronically
<b>February 1</b>	Dean	Uploads dean's report Indicates recommendation Signs electronically
<b>March 1</b>	Provost	Uploads provost's report Indicates recommendation Signs electronically
<b>April 1</b>	President	Uploads president's report Indicates recommendation Signs electronically
TBD	President's staff	Adds president's recommendations to next available Board of Trustees agenda

T&P Working Group Feedback Document 1

TBD	Board of Trustees	Votes on recommendations
TBD	President's staff	Uploads Board of Trustees decision letters
<b>July 15-July 30</b>	Users	Retain access to information in online system foregoing application and review cycle
July 31		Tenure and promotion cycle ends
<b>August 5</b>	University online tenure and promotion system administrator, programmers (ITS)	Removes previous user access, archives information

Having reviewed the proposed policy changes that were presented to the Faculty Senate in Fall 2020, we find many areas of unclarity. At a general level, we strongly urge that the document be rewritten with attention to precision of meaning and that we be given adequate opportunity to review the revisions. A more specific list of comments follows. In the interests of brevity, we focus mainly on concerns rather than aspects of the proposal we find favorable. (We were provided a copy of the proposal revised and split into four documents as this report was being drafted, so we recognize that this overarching concern, as well as some of our more specific concerns, may have already been addressed.)

The option to revert to the T&P policy extant at the time of hire is a good change.

It seems fair and sensible to allow faculty the choice of following the policy they were hired under.

We have serious objections to any proposal to allow academic departments/units to award tenure and promotion to faculty making significant contributions to only one aspect of the university's three-fold mission.

This policy could easily lead to a scenario where there is an administrative hire, that person is assigned to a department, and then that person winds up getting tenured and promoted without serious accomplishments as a teacher and scholar. The troubling results could be as follows:

1. It could make an administrative job a position for life, even when the current administration is gone, saddling a department with a person of limited usefulness.
2. It undermines the accomplishments of people hired as teachers by blurring the distinction.
3. It complicates the legitimate argument we might have for a talented scholar/researcher who does not do a good job in service.

We believe at least a requirement of accomplishment in either teaching or scholarship must be included.

All mention of post-tenure review should be removed from the policy.

ETSU has a progressive discipline policy and an impaired colleague policy. We do not see anything a post-tenure review policy could accomplish beyond what these policies do. Moreover, a post-tenure review process could have serious negative impacts. It could lead to faculty fatigue for both the reviewed and the reviewing faculty, since a number of colleges already lack adequate staff for a promotion committee for an applicant for professor, and these same faculty would have to do the post-tenure process. Since no detail or context is given which suggests a current purpose for such a policy, and its inclusion leaves open the possibility for future administrative without faculty input, we do not want it included here.

We are concerned with prohibiting faculty denied early tenure from reapplying.

We don't see any motivation for a rule that somebody who applies for applies for early tenure and is denied be dismissed, rather than being given another opportunity to apply at the regular time. If this changed were implemented, a qualified, deserving person might go up for tenure early, not get it, and be dismissed from ETSU. The policy would penalize qualified faculty who may be of great service to their departments and discourage people with genuine, deserving achievements from pursuing the rewards for their accomplishments outside the regular timetable. Essentially, the result could be exploitation of qualified faculty and can lead to the university's loss.

We don't understand the motivation for removing the possibility of appealing the president's negative recommendation to the Board of Trustees.

Certainly the possibility of "nuisance appeals exists, but this change would also prevent a level of appeal for a worthy argument.

We have reservations about the inclusion of administrators on promotion and tenure committees.

A department chair should be evaluated for promotion or tenure by their colleagues.

The departmental level of review should not be omitted. The policy's wording needs to be clear on this point.

We recommend inclusion of peer review and not SAI results in the policy guidelines.

Abundant research indicates that the SAI is not a good indicator of teaching effectiveness, particularly in service-level positions. Moreover, to cut costs, the administration moved SAIs online, and now only a fraction of our students participate. This proposed T&P change thus puts our teaching record in the hands of the small number of students who decide to invest their time in answering. Accordingly, we have strong reservations about the university's prescribing it be included in the T&P process. The peer review is a more useful criteria, and we recommend relying on it instead. Possibly, a requirement should be included for a peer evaluation done by someone outside the home department.

The policy on Termination of Tenure for Curricular Reasons needs to comply with Tennessee Code Annotated.

We think one step of the proposed timeline for termination for adequate cause needs to be amended.

The proposal states, "If a faculty member wishes to appeal the hearing committee's decision, he or she must submit an appeal in writing within five calendar days to the president as designee of the board of trustees." However, five calendar days includes weekends, and could amount to just three working days. A longer appeal period is called for.

Description of faculty ranks may be incomplete.

Should rank in volunteer faculty at QCOM be included?

The wording about the use of promotion criteria at the various levels must be clear.

The policies need to reflect the fact that if a college has departments, the faculty is evaluated based only on departmental and university criteria - there are no additional criteria at the college level. Lack of clarity about the use of criteria at the various levels is likely to lead to appeals.

The policy should be called standards rather than guidelines.

The term *guidelines* indicates that they may be deviated from, which we don't think is the case.

## Tenure and Promotion Appeals

Responsible Official: Provost

Responsible Office: Office of the Provost

### Policy Purpose:

**The purpose of this policy is** to describe the process by which faculty applying for tenure or promotion may appeal recommendations by the dean or the provost, and the charge and composition of the university tenure and promotion appeals committee (PTAC).

### Policy Statement:

Candidates for tenure or promotion may appeal negative recommendations by the dean or the provost. Candidates may use one, but not both, of these opportunities. **Candidates must appeal within seven days after the negative recommendation is posted in the online tenure and promotion system or forfeit the right to appeal the decision at that level.**

If a candidate appeals a recommendation at one of these levels, the university promotion and tenure appeals committee (PTAC) will study all phases of the tenure or promotion application and review process prior to receipt of the appeal. It will investigate whether relevant guidelines, standards, procedures, or processes were violated, not followed, or followed improperly, and it will determine whether any such violations or failures affected the recommendation being appealed. The committee will not, however, make a recommendation about whether or not to award tenure or promotion.

The PTAC will comprise one faculty senator elected by the senate, who will chair the committee, and one faculty member from each college or school, selected by the faculty senators from that college or school. No member of the PTAC shall have participated in the review of the candidate's application at any previous level.

Appointments to the PTAC will be for two-year, staggered terms, with the exception of the committee chair, who will serve only one year. All PTAC members must be tenured and hold the rank of associate professor or professor. Deans, department chairs, and other administrative personnel directly involved in college or school-level tenure or promotion decisions may not serve on the PTAC.

Senators will also designate an alternate from their college or school who are available to serve on the PTAC if the primary designee is unable to serve. In extenuating circumstances when no one in a college or school is available to serve, the faculty senate president and the PTAC chair will jointly select a faculty member from that college or school.

Procedure:

To initiate an appeal the candidate notifies the chair of the PTAC in writing through the online tenure and promotion system, providing a written explanation of the reasons for filing an appeal.

The PTAC examines this statement, the candidate's dossier, all evaluations and votes regarding the application, and other information it deems relevant. The PTAC forwards its findings and the application to the next level of review.

When all levels of review have completed their evaluation of the candidate's application for tenure or promotion, the president informs the chair of the PTAC in writing of the final decision and rationale.



## Policy on Tenure

Responsible Official: Provost

Responsible Office: Office of the Provost

### **Policy Purpose:**

The purpose of this policy is to define tenure and to provide the principles, guidelines, and process of faculty tenure.

### **Policy Statement:**

Tenure is a personnel status pursuant to which the academic or fiscal year appointments of full-time faculty are continued at East Tennessee State University until the expiration or relinquishment of that status, subject to termination for ~~adequate cause~~, financial exigency, ~~or~~ curricular reasons, ~~or adequate cause~~. Tenure appointments reside in academic departments or other academic units. Awarding tenure recognizes the merit of faculty members and signifies an expectation that they will continue to contribute to the mission of the department or other academic unit and the university.

Commented [AGK1]: Putting the reasons in the order they appear later.

Tenure is awarded only by positive action of the Board of Trustees, pursuant to the requirements and procedures of this policy. No faculty member shall acquire or be entitled to any interest in a tenure appointment at ETSU without a recommendation for tenure by the president of the university and an affirmative award of tenure by the Board of Trustees. No other person shall have any authority to make any representation concerning tenure to any faculty member.

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

Academic tenure may be awarded only to full-time faculty members who hold academic rank as instructor, assistant professor, associate professor, or professor and meet the minimum criteria for that rank specified in ETSU policy.

Faculty holding temporary appointments are not eligible for tenure.

Faculty holding clinical or research appointments, professors of practice, and lecturers are not eligible for tenure, provided, however, that under certain circumstances, clinical and research appointments may be converted to tenure-track 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 or her tenure-track status; provided that where a faculty member with tenure is appointed to an administrative position, he or 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.

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

Probationary employment is a period of full-time professional service by a faculty member for whom an appointment letter denotes a tenure-track appointment, during which he or she is evaluated by the university for the purpose of determining his or her satisfaction of the criteria for a recommendation for tenure. Faculty may be employed on annual tenure-track appointments for a probationary period that may not exceed six years.

Faculty will ordinarily apply for tenure following completion of five years of the probationary period, so that the recommendation for tenure, if granted, will occur upon completion of six years.

Exceptions to the minimum probationary period may be made under special circumstances upon recommendation by the president and approval by the Board of Trustees.

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.

Commented [AGK2]: Is this needed? Seems repetitive of the following paragraph.

If a faculty member applies for tenure and is not awarded tenure, the university will issue a terminal contract, as described in the section on non-renewal of tenure-track faculty. Likewise, if a faculty member completes the probationary period but has not applied for tenure, he or she will receive a terminal contract for the following year of employment.

Commented [AGK3]: Paragraph was moved up.

If a faculty member wishes to apply for tenure earlier than the completion of five years of the probationary period, he or she must notify the department chair in writing no later than May 15 prior to the fall term in which the application will be made.

A faculty member may apply for tenure only once. An application becomes official in the online tenure and promotion system on September 16. The candidate may withdraw the application at any point in the tenure review process prior to the president's recommendation, but even if it is withdrawn, this constitutes an application.

### **Calculating Completion of the Probationary Period**

Only full-time continuous service at East Tennessee State University and approved credit for prior service will be included in determining completion of the probationary period, except where a break in service was pursuant to an approved leave of absence. An approved leave of absence will be excluded from the calculation of completion of the probationary period unless the president specified in writing prior to the leave of absence that it would be included in the

calculation. (See ETSU policies on leaves of absence.) Leaves of absence may not be granted retroactively. A faculty member may apply for a maximum of two 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.

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.

Commented [AGK4]: Moved to follow preceding paragraph.

A faculty member who is appointed to an administrative position prior to a tenure award remains eligible for tenure and must qualify for tenure under department or academic unit and university guidelines. Time spent in an administrative position counts toward completion of the probationary period.

When a faculty member is serving a probationary period in a department or other academic program unit and is 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 or she does not so elect (and confirm in writing to the president), time spent in the first appointment shall count toward completion of the probationary period.

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

At the discretion of the president the probationary period may include credit for prior service at other institutions or at ETSU. Credit for prior service must be stated in the appointment letter to a tenure-track appointment.

- a. Credit may be given for a maximum of three years of full-time service at other colleges, universities or institutes.
- b. Credit may be given for a maximum of three years of previous full-time service at ETSU in a temporary faculty appointment, a term appointment, or an earlier tenure-track appointment followed by a break in service.

Commented [AGK5]: Is this necessary? See last paragraph of previous section.

#### **Decreasing Credit for Prior Service**

If a faculty member wishes to decrease credit for prior service agreed to upon appointment to a tenure-track position, he or she must submit this request in writing to the chair of the academic department no later than May 15 of the fifth year of the probationary period (calculated including the credit for prior service). Such requests require the written approval of the president.

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

A faculty member may ask to "stop the clock" for one year during the probationary period when circumstances interrupt normal progress toward building a case for tenure. A faculty

member seeking to stop the tenure clock must submit a request in writing to the department chair within three months after the conclusion of the period in which the clock is to be stopped. Requests to stop the tenure clock require the approval of the chair, the dean, the provost, and the president. If approved, a "stop the clock" year is not counted in calculating completion of the probationary period. Reasons for approving a request to "stop the clock" include childbirth or adoption, care of dependents, medical conditions or obligations, physical disasters or disruptions, ~~or other and similar~~ circumstances that require a fundamental alteration of one's professional life. The president will notify the faculty member in writing of the decision to approve or deny the request within one month of submission.

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

Each department or other academic unit must establish procedures for communicating with probationary faculty about their progress toward tenure. These procedures must include pre-tenure reviews conducted during or immediately following the third year of the probationary period. It is the responsibility of chairs and deans to keep tenure-track faculty apprised of their progress toward tenure by mentoring and annual evaluations.

### **Non-Renewal of Tenure-Track Faculty**

When ETSU will not renew a tenure-track appointment, the office of human resources will notify the faculty member as follows:

- a. At least three months before the end of the first appointment year
- b. At least six months before the end of the second appointment year
- c. At least 12 months before the end of the third or subsequent appointment year

Notice of non-renewal ~~shall~~ will be effective ~~upon personal delivery of written notice to the faculty member or~~ upon the date the notice is mailed ~~or e-mailed~~ to the faculty member.

Dates for notice of non-renewal are based on years of service at ETSU and are not affected by credit for prior service.

When a faculty member completes the probationary period, the president will recommend that the Board of Trustees award tenure or will direct the Office of Human Resources to issue a terminal contract for the following year. No other person has authority to make a representation concerning tenure to a faculty member. Failure to give timely notice of non-renewal of a tenure-track contract will not result in the acquisition of tenure, but will result in the right of the faculty member to another year of service at ETSU, provided that no tenure appeals remain outstanding due to lack of cooperation or inaction on the part of the candidate in completing the appeal process.

Faculty members on tenure-track appointments will not be terminated during the term of the annual appointment as stated in the employment contract except for reasons sufficient for the termination of tenured faculty, i.e., curricular reasons, financial exigency, and adequate cause.

Because academic units may choose not to renew a faculty member on a tenure-track appointment for several reasons, among them changing staffing needs in the unit, the non-renewal of a faculty member on a tenure-track appointment does not necessarily imply that his or her work or conduct has been unsatisfactory.

Non-renewal of a tenure-track appointment during the first five years of the probationary period is not appealable to the Board of Trustees, except when there is a violation of state or federal law or ETSU policy.

### **Review of Tenure Applications**

Applications for tenure will be reviewed by the department tenure committee; department chair; college tenure and promotion committee; dean, provost; and president.

Although tenure recommendations will ordinarily follow the ~~calendar~~ sequence described above, the president may submit such recommendations for individuals to the Board of Trustees at other times when, in the judgment of the academic department, the college, and the provost, it is appropriate to do so. Such instances include awarding tenure upon appointment.

Recommendations and reports entered into the online system by committees and officials reviewing a tenure application become integral parts of the application. No additional documentation may be added to an application after September 15, except at the request of the current level of review and with the permission of the candidate or vice versa.

Each level of review makes an independent recommendation informed by the recommendations and narrative statements of prior levels. Each reviewing level should remand an application to any preceding level if it finds the preceding level's review to be incomplete or otherwise unacceptable. Candidates, department chairs, and deans are able to view recommendations and reports at all levels of the review process when deadlines for submission pass.

Members of committees reviewing tenure applications have qualified privilege of academic confidentiality against disclosure of their individual votes unless evidence casts doubt upon the integrity of a committee.

### **Department Tenure Committee Review**

A committee of all tenured faculty in the candidate's department, not including the department chair, will review the tenure application.

The committee should consist of a minimum of three faculty. If, in order to achieve the minimum size, faculty from other departments must serve on the committee, the academic department chair and the candidate must agree on the individual(s) selected. Academic department chairs and assistant and associate deans in a college may not serve on tenure committees of academic departments in that college, but may serve on department committees in other colleges.

Commented [AGK6]: Moved down from previous paragraph.

The chair of the department tenure committee will upload a written evaluation of the application and enter the committee's vote recommending or not recommending tenure in the online system. ~~Dissenters may include their views in this report.~~ Dissenting views should be represented in this report. All committee members must sign the statement.

If a college or other academic unit has only one or no academic departments, the review by a department tenure committee will not occur, and the application will go to the college or school tenure and promotion committee on the date indicated on the calendar for submission and review of tenure applications.

#### Department Chair's Review

The department chair will enter a recommendation in the online system and upload a written evaluation of the candidate's application.

If a department chair applies for tenure or if a college or other academic unit has only one or no academic departments, ~~this level of review~~ the department chair's review will not occur, and the application will go directly to the college or school tenure and promotion committee on the date indicated on the calendar for submission and review of tenure applications.

#### College or School Tenure and Promotion Committee Review

Not later than October 1 of each year, the dean of each college or school will establish a college or school tenure and promotion committee.

- a. The size of the committee should be from 6 to 14 members, who serve staggered 2- or 3-year terms.
- b. The dean should ensure adequate representation from the tenured faculty.
- c. All members should have at least three years of service at ETSU.
- d. 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.
- e. At least two-thirds of the members of the committee should hold the rank of associate professor or professor.
- f. Department chairs and assistant and associate deans may serve on other colleges' or schools' committees, but not on their own colleges' or schools' committees.
- g. Members of the college or school committee from a candidate's home department may not be present for the committee's discussion of the candidate and may not vote on that candidate's tenure or promotion.
- h. Only tenured members of the college or school committee may vote on tenure applications.

Commented [AGK7]: This is outdated. An assistant professor would be ineligible to vote on any promotion beyond that rank.

Commented [AGK8]: This was stated previously.

- i. At least three members of the college or school committee must be eligible to vote on each tenure or promotion application the committee will review.
- j. When there are not sufficient numbers of faculty within a college or school eligible to serve on its tenure and promotion committee, the dean will request participation of faculty in other colleges or schools. Academic department chairs, assistant and associate deans may serve on college tenure and promotion committees in colleges or schools other than their own.
- k. Individuals chosen or elected to serve on their college or school tenure and promotion committee who apply for promotion during their terms of service must excuse themselves from the committee in that year.
- l. In the event a college tenure and promotion committee member must be replaced, the college will obtain a replacement on the same basis as the individual was appointed.
- m. The dean will appoint the chair of the committee in consultation with the members of the committee.

Commented [AGK9]: This is the third time this is stated.

The college or school committee will function in the role of advisor to the dean from October 15 until December 15 of each year. When evaluating tenure applications, it should do the following:

- a. ensure that university criteria for tenure are applied correctly and uniformly to all applicants,
- b. consider the college's approved mission, and
- c. apply to each candidate the bona fide tenure guidelines of his or her academic department.

Commented [AGK10]: Changed order to university, college, department.

The chair of the college or school committee will upload a written evaluation of the application and enter the committee's vote recommending or not recommending tenure in the online system. ~~Dissenters may include their views in this report. Dissenting views should be represented in this report.~~ All committee members must sign the statement.

#### Dean's Review

The dean will enter a recommendation in the online system and upload a written evaluation of the application. In the event of a negative recommendation, the candidate may initiate an appeal to the university promotion and tenure appeals committee, as described in ETSU's policy on tenure and promotion appeals.

#### Provost's Review

The provost will enter a recommendation and supporting statement in the online system. If the provost, in the face of prior approvals, favors disapproval of a tenure application, he or she will meet with the department chair and dean before making a final decision. In the event of a

negative recommendation from the provost and if the candidate has not initiated an earlier appeal, he or she may initiate an appeal to the university promotion and tenure appeals committee, as described in ETSU's policy on tenure and promotion appeals.

#### **President's Review**

All tenure applications will be forwarded to the president regardless of a recommendation made by any previous level of review, unless the candidate chooses to withdraw his or her application. Only the candidate has the right to withdraw an application that has been filed.

The president will enter a recommendation and supporting statement in the online system. The recommendation and statement will be available in the online system to the candidate, appropriate administrative officers, and department and college tenure committee members.

The president will submit a list of candidates recommended for tenure to the Board of Trustees for final action. The president's office will subsequently notify candidates of the Board's actions through the online system and will also notify Human Resources, which will place appropriate records in employees' personnel files.

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

ETSU awards tenure to faculty who are making significant contributions to one or more aspects of the university's threefold mission. All academic departments must create written guidelines for applying university tenure criteria in their academic disciplines. Colleges and other units that employ tenure-track and tenured faculty, but do not have departments, must also create such guidelines. It is the responsibility of academic units to determine how work done in administrative assignments will be considered in evaluating applications for tenure.

Academic-unit guidelines must align with and cannot be less rigorous than university-level tenure criteria. They become bona fide only when they have been approved in writing by tenured and tenure-track faculty in the academic unit, the dean, and the provost; and they are posted to ETSU's official online repository for such guidelines.

- a. All levels of review must use the academic unit's guidelines when evaluating a tenure application by a faculty member in that unit.
- b. If an academic unit revises its guidelines for tenure, faculty applying for tenure will be evaluated using the guidelines in effect at the time of their hire, unless they state in the application for tenure that they wish to be evaluated using the current guidelines.

#### **Teaching**

Teaching includes, but is not limited to, the following activities:

- a. instruction in the classroom or online
- b. supervising undergraduate research or creative activity and honors theses



- c. supervising graduate students, including chairing theses and dissertations and serving on graduate examination and dissertation committees
- d. mentoring undergraduate and graduate students (note: academic advisement of students is professional service)
- e. developing instructional resources
- f. creating or redesigning disciplinary or interdisciplinary programs or courses

Candidates whose work assignments include teaching should provide evidence of the quality of their teaching. Examples of such evidence include, but are not limited to, the following:

- a. demonstrations of how assessments and assignments in courses align to course or program learning outcomes
- b. descriptions of how the candidate developed or revised instructional resources or teaching practices as a result of participation in instructional development or in response to university-approved student assessments of instruction, peer reviews, or other evaluations of teaching
- c. data analyses, published or unpublished, of how the candidate's instructional resources or teaching practices have affected student learning or performance in a course or in subsequent courses
- d. descriptions of how the scholarly literature on teaching and learning has guided the candidate's teaching practices
- e. descriptions of how the candidate has supported her or his students' college success, e.g., participating in ETSU's Academic Alert process; teaching students study skills; or interacting with students outside class
- f. descriptions of how the candidate has created an inclusive and accessible instructional environment
- g. awards and other recognition of the candidate's teaching

Candidates whose work assignments include teaching must also include data from university-approved student assessments of instruction for every course evaluated during the probationary period.

#### Professional Service

Professional service comprises university service, public service, and service to the discipline.

- a. University service includes, but is not limited to, the following:
  - 1. service on department, college and university committees

2. service on the faculty senate, including leadership roles
  3. advisement for department, college or university student organizations
  4. academic advisement of students (note: mentoring students is an instructional activity)
- b. Public service is sharing professional expertise related to one's role at ETSU with the community or the larger society that directly supports the university's goals and mission. Public service includes, but is not limited to, the following:
1. public-service grant proposals
  2. consulting or other services for business, government, or non-profit organizations
- c. Service to the discipline includes, but is not limited to, the following:
1. participation in state, regional or national professional associations related to the candidate's discipline or the teaching profession generally
  2. leadership of professional associations
  3. journal editorships
  4. peer review of articles and grant proposals
  5. guest lecturing at other higher education institutions
  6. grant reviewer
  7. membership on grant advisory Boards

Candidates whose work assignments include professional service should describe their service activities and provide evidence of the quality of their service. Examples of evidence of the quality of professional service include, but are not limited to, the following:

- a. letters from individuals representing groups or organizations for which the candidate has provided public service attesting to the value and results of that service
- b. program-evaluation or other data demonstrating the results of the candidate's service to groups or organizations for which the candidate has provided public service
- c. letters from department, college, or university committee chairs describing the candidate's specific contributions to those committees
- d. descriptions of the candidate's specific contributions to professional organizations of which she or he is a member or officer
- e. funding of public-service grant proposals, including the reputation of the funding body

- f. awards and other recognition of the candidate's professional service
- g. documentation of the quality of the candidate's work as an external reviewer (e.g., Publons)

#### Research, Scholarship, and Creative Activity

Research, scholarly, and creative activity includes, but is not limited to, the following:

- a. Books or chapters in books
- b. Articles in refereed or non-refereed journals
- c. Monographs
- d. Conference proceedings, refereed and non-refereed
- e. Published reviews of research, scholarly or creative works (e.g., books, performances, software)
- f. Presentations of research or scholarly work at professional meetings
- g. Performances, compositions, and exhibitions
- h. Research or creative grant proposals (internal or external)
- i. Computer software or apps developed
- j. Digital media projects
- k. Open educational resources created (~~12-10-19~~)
- l. Curricula authored
- m. Open data sets created

Candidates must provide complete and accurate documentation of their research, scholarly, and creative activity. Documentation should include the following information:

- a. complete citations for publications, presentations, and creative work such as performances and exhibitions
- b. refereed or non-refereed status of journals and other publication outlets
- c. the candidate's role in jointly authored articles and papers

To the degree possible given the nature of the work, research, scholarly, and creative works should be available for examination by those reviewing tenure applications.

In some cases, expertise outside the university may be needed to evaluate a candidate's research, scholarly, or creative activity. The chair and the candidate must agree on individual(s) selected as external reviewers.

Candidates whose work assignments include research, scholarly, or creative activity should provide evidence of the quality of this activity. Such evidence includes, but is not limited to, the following:

- a. For books: Citations, reviews, and evidence of impact (e.g., the reputation of the publisher and published reviews; for textbooks, number of adoptions)
- b. For articles: Reputation of the journal, including whether it is refereed and evidence of the article's impact (e.g., h index, journal impact factor, number of citations, open science, open access, downloads)
- c. For presentations at professional conferences: Scope of the conference (e.g., regional, national, international); selection process for presentations (e.g., blind peer reviewed, invited); attendance at presentation; communications received following the presentation; downloads; session evaluations
- d. For performances, compositions, exhibitions, other artistic works, computer software, and digital media projects: Written reviews, jury evaluations, selection process, attendance or number of views (e.g., YouTube), evidence of the work's impact
- e. For funded research or creative grant proposals: funding statistics, reputation of the funding organization, indirect funds to the university
- f. For unfunded research or creative grant proposals: Reviewer feedback, scores, funding stats, evidence of resubmission in response to feedback
- g. For software, digital media, curricula, open data sets: Independent external reviews, usage or adoption data, number of citations, number of products made, number of API hits, and downloads from open data sets
- h. Awards and other recognition of the candidate's research, scholarly, or creative activity

#### Other Factors for Consideration

Candidates should describe their engagement in professional development related to teaching; professional service; or research, scholarship, or creative activity. Examples include courses taken for credit or audited, seminars, workshops, training programs, and webinars attended.

#### 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, and the inability to continue to perform essential job functions.

### **Relinquishment of Tenure**

A faculty member shall relinquish or waive his or 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. Tenure is not relinquished during administrative assignments at the university.

### **Transfer of Tenure**

If a faculty member tenured in an academic department or unit is transferred to another department or unit, his or her 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.

Commented [AGK11]: Moved up to separate from sections on termination of tenure.

**Procedure:****Initiation and Review of Tenure Applications**

The following calendar describes tasks and deadlines in the annual process for submission and review of applications for tenure. Dates in bold denote tasks done in ETSU's online system for managing tenure and promotion applications and reviews.

Calendar for Submission and Review of Tenure Applications

Deadline	Responsible	Task
May 1	Human Resources	Distributes lists of eligible faculty to chairs, deans, provost, and the president
May 15	Department chair	Notifies in writing faculty eligible to apply in September
June 30	Candidate	Notifies in writing department chair or dean of intent to apply
August 1	Department chair	Forwards names of candidates, <b>and membership of department committees</b> , to college online tenure and promotion system administrator
August 15	College online tenure and promotion system administrator	Notifies candidates that online profiles have been created. Candidates may begin uploading documents.
<b>September 15</b>	Candidate	Uploads supporting document, narrative statement, curriculum vita, course load, and student assessments of instruction
	Department chair	Uploads external reviews if applicable
<b>October 7</b>	Department committee chair	Uploads committee report Enters committee vote Signs electronically
	Department committee members	Sign electronically
<b>October 15</b>	Department chair	Uploads chair's report Indicates recommendation Signs electronically
<b>December 15</b>	College committee chair	Uploads committee report Enters committee vote Signs electronically
	College committee	Sign electronically

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	members	
<b>February 1</b>	Dean	Uploads dean's report Indicates recommendation Signs electronically
<b>March 1</b>	Provost	Uploads provost's report Indicates recommendation Signs electronically
<b>April 1</b>	President	Uploads president's report Indicates recommendation Signs electronically
TBD	President's staff	Adds president's recommendations to next available Board of Trustees agenda
TBD	Board of Trustees	Votes on <b>president's</b> recommendations
<b>TBD</b>	President's staff	Uploads Board of Trustees decision letters
<b>July 15-July 30</b>	Users	Retain access to information in online system foregoing application and review cycle
July 31		Tenure and promotion cycle ends
<b>August 5</b>	University online tenure and promotion system administrator, programmers (ITS)	Removes previous user access, archives information

## Policy on Termination of Tenure

Responsible Official: Provost

Responsible Office: Office of the Provost

### **Policy Purpose:**

The purpose of this policy is to define the conditions under which a tenured faculty member may be terminated.

### **Policy Statement:**

A tenured faculty member may be terminated as a result of financial exigency, for curricular reasons, or for adequate cause.

#### **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 a declaration by the Board of Trustees that such financial conditions exist. Personnel decisions (including those pertaining to tenured faculty) that result from a declaration of financial exigency will comply with ETSU policy.

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

The employment of a tenured faculty member may be terminated because an academic program is deleted from the curriculum or because of substantial and continued declines in student enrollment in a field or discipline.

Unless the president determines that exceptions should be made to protect the quality of an educational program, the following considerations should guide the order of faculty reductions in a department or division for curricular reasons:

- a. Part-time faculty should not be hired or renewed before tenured faculty are terminated.
- b. Temporary faculty or tenure-track faculty should not be renewed before tenured faculty are terminated.
- c. Tenured faculty with higher rank should have priority over those with lower rank.
- d. Among tenured faculty with comparable rank, those with appropriate higher academic degrees should have priority over those with lower degrees.
- e. Among tenured faculty with comparable rank and degrees, those with greater seniority in rank should have priority over those with less seniority.



### **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. Crimes involving moral turpitude may include assault to commit murder, theft, larceny, burglary, or other base, vile, or depraved crimes that are inherently immoral.
- d. Improper use of narcotics or intoxicants, which substantially impairs the faculty member's fulfillment of his or 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.

When a tenured faculty member is terminated for curricular reasons, the university may not fill the position with 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 or her previous rank and salary, including an appropriate increase that, in the opinion of the president, constitutes any raises that would have been awarded during the period in which she or he was not employed.

When a tenured faculty member is to be terminated for curricular reasons, the president will seek to relocate that faculty member in another position for which she or he is qualified.

## Procedure:

### **Termination for Curricular Reasons**

Prior to beginning the process to terminate tenure for curricular reasons, the president ~~will~~ presents to the university, either orally or in writing, a description of curricular reasons that may warrant the termination of tenured faculty.

Upon determining that curricular reasons may warrant the termination of tenured positions the president ~~will~~ so informs the executive committee of the faculty senate. The president or a designee ~~will~~ appears before the senate and presents all relevant information. Senators and affected unit members may ask questions and request further information. The faculty senate ~~will~~ responds in writing within 30 days of this meeting.

Upon determining that termination of one or more tenured faculty members is required for curricular reasons, the president ~~will~~ provides a written statement of the reasons for termination to each faculty member to be terminated. ~~This statement Those reasons will~~ addresses the curricular circumstances that warrant the termination and ~~will~~ describes how the decision to terminate was reached. The president's written statement ~~will~~ also indicates that the faculty member may respond in writing and present objections to the decision.

When tenured faculty ~~are to~~ ~~will~~ be terminated for curricular reasons, the university must notify them at least 12 months in advance of their termination.

If a faculty member to be terminated for curricular reasons raises objections to the president's written statement and requests a review, the president will appoint a faculty committee consisting of a minimum of five tenured faculty members from a slate of 10 tenured faculty members proposed by the faculty senate. The committee ~~will~~ conducts a hearing on the proposed termination and reports its findings and recommendations to the president. The president ~~will~~ informs the faculty member proposed for termination in writing whether the decision for termination stands or has been altered.

### **Termination for Adequate Cause**

Termination of a faculty member with a tenure appointment shall be subject to the following procedures:

1. Upon a recommendation by the chief academic officer of the university to the president or upon a decision by the president that procedures should be undertaken to terminate a tenured faculty member, one or more appropriate administrators may meet with the faculty member for the purpose of attempting to reach a mutually acceptable resolution of the problems giving rise to the proposed termination proceedings.
2. If no mutually acceptable resolution is reached, the following steps ~~are~~ ~~shall be~~ taken.
  - a. The faculty member ~~is~~ ~~shall be~~ provided with a written statement of the specific charges alleged by the university which constitute grounds for termination and a

notice of hearing specifying the time, date, and place of the hearing. The statement and notice ~~are must be~~ provided at least twenty (20) days prior to the hearing. The faculty member ~~may shall~~ respond to the charges in writing at least five days prior to the hearing. The faculty member may waive the hearing by execution of a written waiver.

- b. A committee comprising seven members and at least two alternates ~~is established to will~~ hear the case and determine if adequate cause for termination exists. The president of the university and the faculty senate president ~~will~~ jointly appoint the members and alternates. Members and alternates may be tenured faculty only or tenured faculty and administrators who hold tenured faculty positions. Members with conflicts of interest or bias ~~will shall~~ either recuse themselves or be removed by the appointing individuals. Appeals against committee membership ~~may shall~~ be made to the appointing individuals, who will determine the validity of the appeal and the need to replace committee members. In either case an alternate member will replace the ineligible member.
  - c. ~~Members deeming themselves disqualified for bias or interest shall remove themselves from the case, either at the request of a party or on their own initiative.~~ Members of the committee ~~should shall~~ not discuss the case outside committee deliberations and ~~should shall~~ report any ex-parte communication pertaining to the hearing to the president, who ~~should shall~~ notify all parties of the communication.
3. The hearing committee ~~shall~~ elects a chairperson who ~~shall~~ directs the proceedings and rules on procedural matters, including the granting of reasonable extensions of time at the request of any party and upon the showing of good cause for the extension.
  4. The chairperson of the hearing committee may ~~in-at~~ his or her discretion require a joint pre-hearing conference with the parties, which may be held in person or by a conference ~~telephone~~ call. The purpose of the pre-hearing conference ~~should~~ includes but is not limited to one or more of the following:
    - a. Notification as to procedure for conduct of the hearing.
    - b. ~~To~~ exchange of witness lists, documentary evidence, and affidavits.
    - c. ~~To define and clarify~~ Definition and clarification of issues.
    - d. Effect stipulations of fact.
  - ~~d.~~ A written memorandum of the pre-hearing conference should be prepared and provided to each party.
  5. ~~The~~A hearing ~~shall be is~~ conducted by the hearing committee to determine whether adequate cause for termination of the faculty member exists. The hearing ~~shall be is~~

Commented [AGK1]: This is repetitive of the previous paragraph.

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conducted according to the procedures below.

- a. During the hearing, the faculty member ~~will be~~ permitted to have an academic advisor present and may be represented by legal counsel of his or her choice.
  - b. A verbatim record of the hearing ~~will be~~ taken and a typewritten copy will be made available to the faculty member, upon request, at the faculty member's expense.
  - c. The burden of proof that adequate cause exists rests with the university and ~~shall be~~ satisfied only by clear and convincing evidence in the record considered as a whole.
  - d. The faculty member ~~will be~~ afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration ~~will~~ cooperate with the committee in using its best efforts to secure witnesses and make available documentary and other evidence that is under its control.
  - e. The faculty member and the administration ~~will~~ have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the committee ~~will identify~~ the witnesses, disclose their statements, and, if possible, provide for interrogatories. An affidavit may be submitted in lieu of the personal appearance of a witness if the party offering the affidavit has provided a copy to the opposing party at least ten (10) days prior to the hearing and the opposing party has not objected to the admission of the affidavit in writing within seven (7) days after delivery of the affidavit or if the committee chairperson determines that the admission of the affidavit is necessary to ensure a just and fair decision.
  - f. The hearing committee ~~is will not be~~ bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved.
  - g. The hearing committee ~~will prepare~~ a report that includes findings of fact, a determination of whether adequate cause for termination exists, and the specific grounds or policies for termination. The hearing committee may decide to recommend discipline less than termination. The findings of fact and the committee's decision will be based solely on the hearing record.
  - h. The president and the faculty member ~~will be~~ provided copies of the committee's written report.
6. If a faculty member wishes to appeal the committee's decision, he or she ~~must submit~~ an appeal in writing within five calendar days to the president as designee of the Board of Trustees. After consideration of the committee's report and the record, the president may at his or her discretion consult with the faculty member prior to reaching

a final decision regarding termination. If a faculty member does not submit an appeal within five calendar days, the committee's decision is final.

7. Following his or her review the president, as designee of the Board of Trustees, ~~will~~ notifies the faculty member of his or her decision, which, if contrary to the committee's decision, ~~will be~~ is accompanied by a statement of the reasons.
8. A tenured faculty member who has been terminated or suspended for cause may file a petition in chancery court for judicial review within 30 days of the final decision.

Our breakout room has ideas for celebration involvement by Faculty Senate as follows:

1. Opening of the Martin Center and arts in the area in general (Barter, etc).
2. Our centers and offices which celebrate diversity
3. If we receive funding for a Humanities building (and therefore an emphasis on the Humanities), a celebration
4. A celebration of all that Public Health (University and community) has provided for us all during the pandemic.

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- Hooding ceremonies
  - Pinning ceremonies
  - Senate recognizes great teaching, research, service. . . maybe late February.
  - Represent as a faculty body, and as our colleges.
  - Celebrate students as well, faculty/student projects.
  - "Month in review" College of Public Health.
  - Friday newsletter pull from other newsletters and share University wide.
  - Celebrate celebrations!
  - Call for Celebration: Faculty/Staff and students in teaching, research and services. They can be a video format or a poster format.

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- Notes from the President's Office (contact us – praise, compliments, accolades for faculty and staff) and then a letter would come from Dr. Noland praising faculty member for that (<https://www.etsu.edu/president/feedback.php>)
  - Faculty and staff of the month award for those who receive the most accolades; maybe something similar for students
  - President's Office could have an accolades page that is publicized
  - Celebrities making appearances at ETSU events (e.g., Dolly Parton at graduation)
  - Celebrities who will make brief messages for a small fee (\$100)

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- Senate
    - What is the overarching goal?
    - Awards or recognition from the senate – sort of like departments, colleges, other entities already do. Don't limit to senators. All faculty eligible.
    - Consider recognizing and celebrating the work of faculty (non-senators) during senate meetings – perhaps once per semester

- Recognition should result in something tangible that could be valuable from a tenure and promotion perspective
  - If recognition will be public, should get permission of person being recognized
  - Consider a senate committee to facilitate communication inherent in celebrating and recognizing. This will take some work.
  - Others
    - Develop mechanism to celebrate and recognize faculty beyond the three awards that are already in place. Emphasis on recognizing faculty in years 0-5.
- 

- Current strategies:
    - Clemmer College (Pam Evanshun) implemented Monday news – all celebrations (student, faculty, staff). Currently the Associate Dean is responsible to create/send. GA helped to design. Has greatly improved morale. (see below in this email for a recent letter)
    - CPH (Jeanna Johnson) – they share more personal successes through FB. Dean sends monthly newsletter but is more about professional accomplishments.
  - Suggestions for new things to try
    - Dean CPH – gets info from deans from other institutions – “brags” maybe we could do likewise; share news with all deans to share with other institutions as a recruitment tool
    - National/professional awards: publicize across campuses/across the street for faculty to learn about each other; also provides ideas for collaboration in research
    - Consider university-wide, ETSU Health -wide, college-wide, department-wide sharing: Maybe start with department news, then let colleges glean what they deem relevant to share at the college level, then repeat at next higher levels.
    - Student focus: to counteract the electronic world, consider students who are doing good work to receive a Card/book from faculty senate; possible invite to faculty senate meeting to be acknowledged.
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In addition to celebrating faculty activities on campus, the opening of facilities was mentioned as a needed celebration. Celebrations of facilities could also have a secondary purpose of introducing what facilities are available for different purposes.

We were against in person celebrations. On the flip side, we don't want another Zoom meeting. Some alternatives included (1) virtual tours of facilities like the Martin Center (2) highlighting one celebration a week on the ETSU main website, (3) college or department level emails mentioning celebrations, and (4) announcements during college or department level meetings (like in Faculty Senate)

Overall, we do not have a culture of voicing celebrations. This has been amplified due to most recent events. We are just trying to maintain status quo during a pandemic.

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- Celebrate retirees with a book with notes from colleagues, present to them with a 'drive by'
  - Zoom drop in – to chat, not a formal meeting, no agenda (Nursing does this)
  - Poetry reading that LILA did (connection)
  - Send hand written notes – to graduating students, to students when you “catch them doing something good,” for milestone events (passing comps, completing internships, etc.)
  - “Porch slices” (Amy Malkus baked cakes and would leave a large slice on the porch upon request for people to pick up)
- 

Faculty Senators will bring celebration worthy announcements (awards, special publications and presentations, promotions, etc.) from their college or department to the Faculty Senate to have the announcement distributed university wide.

Celebratory news from each department/ college will reported up the line all the way to the president’s office with the goal of featuring at least one celebratory news items from each college in the president’s weekly newsletter in hopes of connecting the university with news from across the campus.





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### **FERPA and Virtual Learning**

The Family Educational Rights and Privacy Act (“FERPA”) is a Federal law that protects the privacy of student education records. (20 U.S.C. § 1232g; 34 C.F.R. Part 99). FERPA prohibits ETSU from disclosing personally identifiable information from students’ education records without the prior written consent of an “eligible student,” unless an exception to FERPA’s general consent rule applies. 20 U.S.C. §§ 1232g(b)(1) and (b)(2); 34 C.F.R. §§99.30 and 99.31.

Covid-19 has changed many things about how we offer instruction. While more classes are held online, new issues have emerged, and the Department of Education has provided guidance specific to FERPA and virtual learning.

#### **FERPA and Virtual Learning Considerations:**

1. Protect student information. If working from home, ensure that physical, technological, and administrative controls are in place to safeguard student information kept in your home. Only ETSU employees with a legitimate educational interest should have access to any ETSU student information.
2. It is permissible to record a class and share the recording with students enrolled in that class. However, if personally identifiable information is shared by a student during a class (e.g., grades), that information should be redacted before the recording is uploaded.
3. A student’s enrollment in a class is personally identifiable information, and is therefore protected by FERPA. It is impermissible to record a class including student participation, and to upload that recording for future semesters of the same course. It is permissible to record lectures only (no student participation) for future semesters of the same course.

If you have any questions about FERPA, please contact the Office of University Counsel, or the Registrar’s Office.

