

East Tennessee State University

Policy: Section 2: Employment

[Definition and Types of Faculty](#)

[Employee Grievance/Complaint Procedures](#)

[Equal Opportunity for Employment](#)

[Faculty Progressive Discipline Guidelines](#)

[Faculty Ranks and Promotion](#)

[Financial Exigency Policy](#)

[Hiring Procedures for Faculty](#)

[Personnel Policies: Records, Leaves, Retirement, Benefits](#)

[Promotion Policy for Lecturers](#)

[Selection and Periodic Review of Academic Administrative Personnel](#)

[Standards of Conduct for Faculty](#)

[Tenure](#)

[Workload, Reporting, and Evaluation for Full-Time Faculty](#)

[Workplace Violence Prevention Guideline](#)

Definition and Types of Faculty

TBR Policy 5-02-01-00 contains the Board's official definition of faculty:<https://policies.tbr.edu/policies/definition-faculty>

TBR 5:02:01:00; 09/30/83; Effective 03/06, policy changes will appear on the webpage cited TBR Policy 5:02:07:10 <https://policies.tbr.edu/policies/faculty-appointments-universities> defines the following types of faculty appointments.

Temporary Appointments

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

East Tennessee State University

Other extensions of temporary appointments for periods in excess of three (3) years require the approval of the Chancellor.

Post Retirement

Refer to the Tennessee Board of Regents policy 5:01:03:03 at:

<https://policies.tbr.edu/policies/retirement-plans>

Refer to the Tennessee Board of Regents Guideline P-160 at:

<https://policies.tbr.edu/guidelines/post-retirement-service-program-tenured-faculty>

Tenure-Track Appointments

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

Tenured Appointments

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

No faculty member shall acquire or be entitled to any interest in a tenure appointment at a university without a recommendation for tenure by the president of the university and an affirmative award of tenure by the Board of Regents. No other person shall have any authority to make any representation concerning tenure to any faculty member, and failure to give timely notice of non-renewal of a contract shall not result in the acquisition of a tenure appointment, but shall result in the right of the faculty member to another year of service at the university, provided that no tenure appeals remain outstanding due to lack of cooperation and/or appropriate action on the part of the candidate in completing the appeal process.

Recommendations for or against tenure should originate from the department or academic program unit in which the faculty member is assigned and should include appropriate participation in the recommendation by tenured faculty in the department or academic program unit.

Clinical-Track Appointments

East Tennessee State University

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

Convertible and Non-convertible Clinical-Track Appointments

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

Research-Track Appointments

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

Convertible and Non-convertible Research-Track Appointments

A college, academic department or other academic program unit seeking to fill a particular research-track appointment may indicate the position is potentially convertible to a tenure track appointment (convertible research-track appointment). Convertible research-track appointments permit conversion of the appointment to tenure-track at any time prior to but no later than the expiration of the first three-year term, depending on funding availability and faculty performance. Convertible research-track appointments must follow the search

East Tennessee State University

process as defined for tenure-track appointments. Convertible track appointments not converted within the three year period, as defined above, automatically revert to non-convertible research-track appointments. Unless specifically identified as convertible, all research-track appointments are non-convertible.

Lecturer-Faculty Appointments

Lecturer-faculty appointments (a) are full-time faculty appointments, (b) are non-tenurable, (c) are renewable, and (d) permit promotion in rank. The primary assignment of lecturer-faculty is usually instruction at the undergraduate level.

Initial lecturer-faculty appointments may be granted for up to three years with an annual performance review conducted by the appropriate academic administrator or supervisor. Appointments may be renewed for further terms of up to three years following any satisfactory performance review.

Coordinator Appointments

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

Graduate Faculty Appointments

Guidelines for appointment to the Graduate School Faculty are located in the ETSU Graduate Catalog at: <https://www.etsu.edu/gradschool/documents/forms/gradfacproc212.pdf>

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

Emeritus Appointments

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

To be awarded emeritus status, faculty must have served the University for at least 10 years. Faculty should have attained the rank of Professor, Associate Professor or Assistant Professor (under exceptional circumstances Instructors may be considered). When a faculty member's written notice of retirement is received at the Office of Human Resources, that office will notify the faculty member and respective department chair of eligibility for emeritus status. The retiring member will be asked if he/she wishes to participate in the emeritus procedure. Within one month of receiving the retirement notice from the Office of Human Resources, the chair will convene the department's faculty to review the qualifications of

East Tennessee State University

the emeritus faculty candidate as presented in CV and other supporting documentation. Candidates will be nominated for emeritus status by majority vote. Those nominated will have materials submitted for recommendation by respective Deans and the Academic Vice President/Health Affairs Vice President, and then sent to the Office of the President where final decision will be made. (The President will have access to the Department's nomination and assessment materials, as well as decisions of approval by Deans and the appropriate Vice President.)

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

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

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

Joint Administrative Appointments: Faculty Role in Departmental Matters-Administrators with Faculty Status

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

03/10; 10/13/11

[Back to Top](#)

Employee Grievance/Complaint Procedures

Purpose

The purpose of these procedures is to provide a clear, orderly, and expedient method through which all employees of East Tennessee State University may process bona fide grievances or complaints.

East Tennessee State University

Policy Statement

It is the intention of East Tennessee State University to provide an effective process for the resolution of problems arising from the employment relationship or environment. To this end, a formal grievance/complaint procedure has been established for the use and benefit of all employees. It is the responsibility of administrative, academic, and line supervisors to inform and make available to all employees information concerning these procedures. When an employee believes a condition of employment affecting him/her is unjust, inequitable or a hindrance to the effective performance of his/her employment responsibilities, he/she should seek resolution through this mechanism without fear of coercion, discrimination or reprisal.

The objective of East Tennessee State University's Grievance/Complaint Procedures is to make every effort to resolve a grievance/complaint at the lowest possible step. Toward this end, faculty are encouraged to communicate openly with their immediate supervisors and to consult with a trained procedural consultant (so designated by the Faculty Concerns and Grievance Committee for the university and trained appropriately for the position) for clarity about definitions of grievances and complaints and procedures for advancing either.

Scope

These procedures apply to all employees and cover all employment related issues with the exception of Sexual Harassment, Affirmative Action Matters, and Tenure. The institution has a separate set of guidelines for the processing of Sexual Harassment complaints and matters involving Affirmative Action (i.e., unlawful discrimination on the grounds of race, religion, color, sex, age, handicap, nation origin, or veteran status). Sexual Harassment complaints should be filed with those individuals outlined in the Sexual Harassment Plan while Affirmative Action matters should be filed with the Affirmative Action Director. Furthermore, a separate Committee on Promotion/Tenure appeals exists for the disposition of matters involving tenure or promotion.

Moreover, an employee may choose to utilize these procedures for review by the grievance committee (established pursuant to the within guidelines) in the following situations:

Actions relating to the suspension of employees for cause or termination in violation of an employment contract which fall under TBR Policy 1:06:00:05 (cases subject to TUAPA); or,

Actions related to TBR Policy 5:02:03:00, Section III. 16. b. (2) (suspension of tenured faculty). Furthermore, the University may choose to utilize these procedures for review by the grievance committee (established pursuant to the written guidelines) when resolving a matter initiated pursuant to TBR Policy 5:02:02:00 (faculty promotion).

Definitions

Matters Subject to the Grievance or Complaint Procedure

There are two (2) types of matters that may be addressed by these procedures: (1) grievances subject to committee review; and, (2) complaints that must be resolved without committee review.

East Tennessee State University

1. Grievance (committee review available)

An employee may only grieve those matters which result from any action the Institution has taken against the employee which:

- Violates school or TBR policy, or involves an inconsistent application of those policies; or,
- Violates any constitutional right including, but not limited to the First, Fourth, or Fourteenth Amendments to the Federal Constitution and specifically, but again not limited to, actions that hamper free speech, freedom of religion, the right to association, personal and professional property rights, provides for improper search and seizure, or denies constitutionally required notice or procedures.

2. Complaint (committee review not available)

A complaint is a concern an employee wants to discuss with supervisory personnel in an effort to resolve the matter. Personnel actions such as performance evaluations, rates of pay, position reclassification, or position termination due to reduction in force are not defined as complaints.

In effect, in order for a personnel action such as those described in the preceding paragraph to be formally challenged by an employee or faculty member, the action must be the result of an alleged violation of school or TBR policy, an inconsistent application of those policies, a violation of any constitutional right, et. seq. (Note: bases for challenges are listed in "Scope" and "Definitions.")

This section recognizes that the informal "give-and-take" traditionally associated with the employment process will not be altered and that an employee should feel free to express dissatisfaction with the working environment; however, there is an appropriate framework for expressing personal dissatisfaction, which this policy attempts to outline.

Employees

All references to the term "employee(s)" contained in these procedures only include administrators, faculty (full-time or temporary contracts), professionals, clerical, and support personnel. Probationary employees are also included in the definition; however, student workers, graduate assistants, adjunct faculty, and temporary workers are not included in the definition of employee as it pertains to the grievance procedure.

Grievance Committee

There are two grievance committees utilized by the University. The two types are the (1) Faculty Concerns and Grievances Committee, and (2) Non-Faculty Grievance Committee.

1. Faculty Concerns and Grievances Committee

The Faculty Concerns and Grievance Committee shall (a) designate a panel of three faculty members to serve the university as procedural consultants; (b) participate with

East Tennessee State University

the University Attorney in training procedural consultants in the definitions, policies, and procedures related to filing both grievances and complaints; (c) serve, when asked by the faculty member, as a consultative body for the development of any grievance or complaint, subject to guidelines and restrictions of this process stated in the section on Faculty Senate Policy for Faculty Grievances; and (d) shall only consider and forward recommendations to the President on those matters which meet the criteria for grievances—with those problems which are deemed complaints to have their ultimate resolution through the Office of the President of the University.

2. Non-Faculty Grievance Committee

The Non-Faculty Grievance Committee shall only consider grievances brought by non-faculty members. The Non-Faculty Grievance Committee shall also be selected from a Non-Faculty Grievance Pool and shall be activated for individual grievances only.

a. Non-Faculty Grievance Committee Pool

The President shall select a pool of potential committee members who will receive training by the Office of Human Resources regarding the University's Grievance procedure. Six (6) full-time permanent employees from each non-faculty EEO category will be selected by the President to serve as Pool Members. Their terms of service will be staggered such that two (2) members from each EEO category will serve a one (1) year term, two (2) members will serve a two (2) year term, and two (2) members will serve a three (3) year term. These individuals may serve subsequent terms but may not succeed themselves and the President shall replace all vacated positions. Furthermore, the percentage of females and minorities on the Non-Faculty Grievance Pool shall reflect as closely as possible their representation at the University at large. The following personnel, however, shall not be eligible to serve as members of the Non-Faculty Grievance Pool: personnel in the Office of the President; personnel employed in the Offices of the Vice Presidents; or employees of the Office of the Internal Auditor, Payroll Office, or Office of Human Resources.

b. Non-Faculty Grievance Committee Selection

The President shall select the Grievance Committee which shall consist of three (3) members selected from the Grievance Committee Pool. At least one member of the grievant's peer group must serve on the committee; however, relatives, employees who have supervisory responsibility over the aggrieved employee, or anyone working in the same department under the same manager or supervisor are ineligible to serve on the committee. The committee shall select a chairperson and conduct an impartial hearing on the grievance at which it would accept and review all pertinent information presented by the employee as well as any other information it deems appropriate. The committee's review shall be thorough and independent and its recommended action shall be based on a full and fair consideration of all the facts and circumstances.

Immediate Supervisor

That person who is directly responsible for the supervision of the employee's activities.

Next-higher-level Supervisor

East Tennessee State University

That person who is directly responsible for the supervision of the immediate supervisor's activities.

Working Days

Days on which the business offices of the Institution are officially open.

Date of the Decision

Date the decision is communicated to the employee if communicated in person; or, three (3) days after mailing of the decision, if communicated by mail.

Responsibility for Implementation and Compliance

The President of the University has ultimate responsibility for the implementation of these procedures and is the final decision maker in the resolution of complaints. The final decision making authority in any action involving a grievance, pursuant to TBR Policy 1:02:11:00, resides with the Chancellor of the Tennessee Board of Regents.

General Rules of Implementation

The primary responsibility for resolving grievable matters rests with the employee/faculty member and his or her immediate supervisor. Initial steps should always be taken to resolve disputes at this level before proceeding to the following rules of implementation.

When a concern or issue has not been resolved informally, and the concern might be foreseen to result in a formal complaint or grievance, the immediate supervisor will refer the faculty member to an appropriate procedural consultant or consultants for consultation and guidance by giving the faculty member a referral card developed and provided by Faculty Senate.

Employees using these procedures shall be entitled to do so without fear of retaliation, interference, coercion or discrimination.

A grievance which is the subject of an action filed with an external body shall not be processed through the University's grievance procedures. The term external body includes a court or federal or state administrative body such as the Equal Employment Opportunity, Office of Civil Rights, or Tennessee Human Rights Commission.

A grievance/complaint must be presented to the employee's immediate supervisor within ten (10) working days after the occurrence of the incident. Any claim not presented within the time frame provided shall be deemed to have been waived. For repetitive or ongoing incidents or circumstances, the grievance/complaint must be filed within ten (10) working days of the last occurrence of such incident or circumstance or of the discovery by the employee of the occurrence. This policy presumes that all employees or faculty members will use good faith and diligence in the discovery of grievable matters.

East Tennessee State University

The grievant/complainant is entitled to be accompanied by an advisor at each step of the procedure; however, the advisor may not act as an advocate on behalf of the individual.

Employees shall be given the opportunity to pursue grievances/ complaints during their assigned work time.

The President may grant reasonable extensions of the applicable time limits at each stage of the procedure upon the timely showing of good cause. The request for an extension must be in writing. The approval or denial of the request shall also be in writing.

Supervisors to whom a grievance is raised and the Grievance Committee may consult the Director of Human Resources for advice on resolving grievances (except for grievances involving an action taken against the grievant by the Director of Human Resources). Copies of all written and associated documentation will be filed in the Office of Human Resources.

There shall be a one-semester time limit placed on all grievable matters. In essence, no grievance may be heard unless the grievable incidence(s) occurred within the semester immediately preceding the current semester or within the current semester.

Grievance/Complaint Process

Steps for Filing a Grievance Only

Discussion with Immediate Supervisor

A grievance must be brought to the attention of the employee's immediate supervisor within twenty (20) working days after the employee becomes aware of the problem. The employee should state the basis for the grievance and the corrective action desired in temperate and reasonable terms. The employee and the supervisor shall discuss the grievance in an attempt to resolve the matter in a mutually satisfactory manner. The supervisor shall conduct any necessary or appropriate investigation and inform the employee of a decision based upon full and fair consideration of all the facts within five (5) working days of the initial discussion. The immediate supervisor will assure that the decision is clearly communicated to, and understood by, the employee. If the employee is satisfied with the decision, no additional action is required. If the employee is not satisfied, the employee may proceed to Step 2 and will be referred to an appropriate procedural consultant or consultants for consultation and guidance by giving the faculty member a referral card developed and provided by the Faculty Senate. If no decision is communicated to the employee within five (5) working days of the initial discussion, the employee may proceed directly to Step 2.

Discussion with Higher-Level Supervisor

If the employee and the immediate supervisor are not able to reach a mutually satisfactory resolution to the grievance, the employee may proceed to discuss the matter with the next-higher-level supervisor within ten (10) working days of the date of the decision of the immediate supervisor. Failure to comply with Step 2 in a timely manner shall be deemed a waiver by the employee for this particular occurrence and the grievance may not be raised

East Tennessee State University

again. The next-higher-level supervisor and the employee shall then follow the procedures required in Step 1.

If the employee is satisfied with the decision reached by the next-higher level supervisor, no additional action is required. If the employee is not satisfied, the employee may proceed to Step 3; if the employee has not already seen a procedural consultant, she or he will be referred to an appropriate procedural consultant or consultants for consultation and guidance by giving the faculty member a referral card developed and provided by the Faculty Senate.

If no decision is communicated to the employee within five (5) working days of the initial discussion between the employee and the next-higher-level supervisor, the employee may proceed directly to Step 3.

Written Grievance Statement

If the employee and the next-higher-level supervisor are not able to reach a mutually satisfactory resolution to the grievance the employee may file a written grievance with his/her vice president on the designated form, available online at:

<https://www.etsu.edu/human-resources/relations/ppp27.php>

This form shall allow the employee to clearly indicate whether she or he is filing a formal grievance or complaint – or the university may choose to make available two different forms, one for a grievance and one for a complaint: It is the faculty member's responsibility to make her or his own case for the problem being addressed appropriately as either a grievance or a complaint as delineated in this policy. The grievance must be filed within ten (10) working days of the date of the decision of the higher-level supervisor. Failure to comply with Step 3 in a timely manner shall be deemed a waiver by the grievant for this particular occurrence and the grievance may not be raised again.

A copy of the grievance, along with any supporting documentation, shall be given to the immediate supervisor and the next-higher-level supervisor. The vice president may request either or both supervisors to respond in writing to the grievance statement. If the employee is satisfied with the decision reached by the vice president no additional action is required.

If the employee is not satisfied the employee may proceed to Step 4. If no decision is communicated to the employee within fifteen (15) working days after filing the grievance with the vice president, the employee may proceed directly to Step 4.

Written Grievance Statement to be Received by the President and Grievance Committee

If the employee and the vice president are unable to reach a mutually satisfactory resolution the employee may file with the President of the institution. Any grievant, who may otherwise be entitled to a hearing before the grievance committee, may waive such a hearing and accept the findings of the President. Any faculty member considering such a waiver shall first be referred to an appropriate procedural consultant or consultants for a consultation on the advisability of signing a waiver of this right by giving the faculty member a referral card developed and provided by the Faculty Senate. Any such waiver shall be in writing and signed by the grievant. The waiver should state the matter involved and should expressly

East Tennessee State University

state that the right of the grievant to a formal hearing by the Grievance Committee is knowingly and voluntarily waived.

If the grievant waives his/her rights to a hearing, the President shall within twenty (20) days after receipt of the grievant's file, advise the grievant of the decision. The President's decision will be final and shall be directed to the employee. If no decision is communicated to the employee within twenty (20) working days of filing the grievance the employee may file directly with the Chancellor of the Tennessee Board of Regents.

If the grievant does not waive the right to a hearing, the President shall, within five (5) days of receipt of the grievant's file, refer the grievance and all relevant documentation to the appropriate grievance committee. Within twenty (20) days after receipt of the grievant's file the committee shall advise the President and the grievant of its decision.

The recommendation shall be based on a full and fair consideration of all the facts and circumstances. The report shall also contain a summary of the committee's investigation and findings.

Appeal of Grievance to the Chancellor, Tennessee Board of Regents

In any case where the President makes a decision adverse to the grievant, the President shall advise the grievant of his/her right to appeal the decision to the Chancellor. The employee's appeal to the Chancellor must be filed within fifteen (15) working days of the date of notification of the President's decision.

Steps for Filing a Complaint Only

The steps involved in the resolution of complaints follow the same procedures as those outlined for the resolution of grievances with the following exceptions:

1. Complaints do not include a right to a hearing or adversarial proceeding before the grievance committee; and,
2. The President is the final decision maker involving complaints; that is, the complainant does not have the right to appeal to the Chancellor of the Tennessee Board of Regents.

Maintenance of Records

Copies of all written grievances/complaints and accompanying responses and documentation will be maintained with the Office of Human Resources for at least three (3) years.

Committee Membership and Selection

A Faculty Concerns and Grievances Committee shall serve as an advisory body to advise the Senate and, through the Senate, either the Vice President for Academic Affairs or the Vice President for Health Sciences on matters arising from either a concern or a grievance filed by a faculty member or members. The committee shall consist of one faculty senator from each college and school. An alternate may be asked, by the Senate president, to sit in

East Tennessee State University

place of a regular committee member in those cases in which the regular committee member is unable to serve or cannot be present for one or more scheduled meetings. A committee member who has a particular interest in the case outcome will excuse him or herself from the committee and be replaced by an alternate for that hearing.

The committee will be appointed by the Faculty Senate, as a committee of the Senate. The chair shall be elected by the committee members at their first meeting of each academic year.

Faculty Senate Policy for Faculty Grievances

All formal complaints and grievances by faculty are now governed by the East Tennessee State University's Employee Grievance/Complaint Policy and Procedure (1.4). Any faculty member wishing to formally challenge an administrative decision should carefully follow the procedures outlined there and it is recommended that she or he consult with an appropriate procedural consultant or consultants with regard to policy, procedures, and rights.

However, faculty members occasionally want an opportunity to discuss their concerns with their peers and to obtain their peers' advice, without becoming mired in formal grievance procedures. East Tennessee State University provides two avenues for such discussions/consultations—either or both of which are available to all faculty members: The first is a consultation with a trained procedural consultant or consultants, and the second is through a formal consultation (specified and limited below) with selected members of the Faculty Senate Committee on Faculty Concerns and Grievances. Members of the Committee on Faculty Concerns and Grievances who provide formal consultation on a case will not sit on a formal grievance hearing of that case.

Therefore, we recommend that the Senate Committee on Concerns and Grievances will serve two functions in addition to those specified in the Senate By-Laws 1.5.1.3.

1. The Committee will discuss concerns filed by individual faculty members. A concern is defined as any matter that could be subject to a complaint or grievance as outlined under the University's Complaint and Grievance Policy. In addition, the committee will have the discretion to discuss any other matters it deems appropriate. Prior to meeting with the committee, the faculty member will submit a brief statement of her/his concern. In discussing such matters, the Committee will not function as an adversarial hearing board. Rather the committee members will listen to the faculty member's/members' complaint and advise her/him as they see fit. They will advise the faculty member about the proper way to proceed. However, the committee's deliberations, since they are merely advisory, cannot become part of any formal grievance the faculty member chooses to file. Deliberations will be confidential, unless all parties agree otherwise. The committee will maintain no records.
2. If the faculty member chooses to file a formal grievance, the committee, in conjunction with the President of the Faculty Senate, will select a five-member committee who will formally hear the grievance in accordance with university policy. This committee will report its findings to the University President.

East Tennessee State University

[Back to Top](#)

Equal Opportunity for Employment

Refer to ETSU Personnel Policies and Procedures Manual at

<https://www.etsu.edu/human-resources/relations/ppp04.php>

09/15/79; 02/15/91; 08/15/96; 10/18/00; Effective 03/06, policy changes will appear on the webpage cited

[Back to Top](#)

Faculty Ranks and Promotion

See ETSU policy on faculty ranks and promotion: https://www.etsu.edu/trustees/documents/academic/academic_promotion.pdf

01/29/88; 07/91; 05/92; 12/888; TBR 4/2/04; 02/12/09; 10/13/11; 3/20/2015; ETSU BOT 05/08/2017

[Back to Top](#)

Promotion Policy for Lecturers

Lecturer appointments (a) are full-time faculty appointments, (b) are non-tenurable, (c) are renewable, and (d) permit promotion in rank. The primary assignment of a lecturer is usually instruction at the undergraduate level.

Initial lecturer appointments may be granted for up to three years with an annual performance review conducted by the appropriate academic administrator or supervisor. Appointments may be renewed for further terms of up to three years following any satisfactory performance review.

Academic ranks for lecturers and the means by which they are distinguished at ETSU are as follows:

Lecturer

To be renewed as Lecturer, the candidate must have:

1. Master's or terminal degree from an accredited institution in the instructional discipline or related area. **
2. Evidence of good character, mature attitude, and professional integrity.

East Tennessee State University

3. Demonstrated ability in instruction and student development.

Senior Lecturer

To be promoted to Senior Lecturer, the candidate must have:

1. Master's or terminal degree from an accredited institution in the instructional discipline or related area. **
2. Evidence of good character, mature attitude, and professional integrity.
3. Documented evidence of high quality teaching and contributions to student development.

Master Lecturer

1. Master's or terminal degree from an accredited institution in the instructional discipline or related area. **
2. Evidence of good character, mature attitude, and professional integrity.
3. Documented evidence of teaching excellence and superior contribution to student development.

Colleges and/or departments shall be responsible for developing written criteria, guidelines, and timelines for lecturer promotions. Criteria, guidelines, and timelines shall be approved by the dean. To ensure criteria and guidelines are consistently meeting the goals of the department, as well as the professional development goals of the lecturers, criteria and guidelines should be reviewed by academic departments and approved by the dean of the college every three years.

Applications for promotion may be made after a minimum of five years in rank and should be submitted to the chair of the department by September 15.

Departmental promotion committees should consist of all tenured, tenure-track, clinical and research faculty, and lecturers of higher rank than the applicant.

Departmental recommendations for promotion shall be submitted through the chairs and approved by the dean. The candidate may appeal the dean's decision following the guidelines for promotion appeals outlined in the faculty handbook.

Salary increments for promotion will be an 8% increase in base salary upon promotion to Senior Lecturer, and a 10% increase in base salary upon promotion to Master Lecturer.

** Exceptions to the degree requirement may be made in accordance to SACS standard 3.7.1

05/19/2016

[Back to Top](#)

East Tennessee State University

Financial Exigency Policy

Definition of Financial Exigency

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

Actions Required Prior to the Declaration of Financial Exigency

Financial exigency results from an imminent fiscal crisis characterizing the entire institution; thus, the condition of financial exigency may not be declared at a level below that of the institution (i.e., it may not be declared at the level of an academic or administrative unit such as a school, department, or similar account-level unit). In light of the gravity of consequences resulting from a declaration of financial exigency, the process leading to an institutional recommendation to the Tennessee Board of Regents that financial exigency be declared must be cautious, fair, well informed, and as responsive as possible to the interests of various segments of the institution.

The responsibility for initiating the proposal for declaration of financial exigency resides with the President of East Tennessee State University. Since recommending the declaration of financial exigency is an extreme measure, that responsibility requires the President to provide all appropriate assurances and documentation that available and reasonable procedures to reduce the expenditure levels of the institution are exhausted, and that no efforts have been spared to enhance revenues.

Prior to proposing the declaration of financial exigency, the President shall share with the entire faculty or its representative body and with representatives of other campus personnel constituencies all pertinent analysis and documentation that, in his or her opinion, demonstrate an imminent fiscal crisis for the entire institution that would warrant a declaration of financial exigency. That analysis and documentation should be shared promptly and with sufficient notice to all personnel constituencies including the Faculty and Staff Senates; and opportunities should be provided for discussions with and advice from those bodies, answers to appropriate questions, and general deliberations befitting an educational institution.

After discussion and review of any advice from various personnel constituencies, the President shall, if he/she remains convinced that conditions warrant a recommendation for declaration of financial exigency, present the recommendation with full documentation to the Chancellor of the Tennessee Board of Regents.

If his/her review supports the conclusion that conditions warrant a declaration of financial exigency, the Chancellor shall so recommend to the Board of Regents. In addition to providing the Board of Regents with a recommendation to declare financial exigency, the

East Tennessee State University

Chancellor in consultation with the campus president shall also submit a statement of findings and conclusions including at least the following:

1. A description of the current fiscal condition of the institution, including the projected amount of deficit that would result from failure to declare financial exigency.
2. A projection of the fiscal condition that would result, in the opinion of the President and the Chancellor, from general types of action anticipated to be taken subsequent to a declaration of financial exigency.
3. An analysis of the reason for the current imminent fiscal crisis characterizing the entire institution, specifying with appropriate documentation those identifiable factors contributing to the crisis.
4. A statement of assurance, with supporting evidence, that available and reasonable procedures to reduce expenditure levels of the institution are exhausted, that further retrenchment within existing policies is not compatible with the objective of assuring maximum protection for the academic programs of the institution and the educational needs of students, and that efforts to enhance revenues have been carried out in a responsible manner.
5. A transmittal of any advice, alternatives, or information in writing by any institutional personnel constituencies including the Faculty and Staff Senates.

Actions Required Subsequent to the Declaration of Financial Exigency

Should the Board of Regents formally declare a state of financial exigency at East Tennessee State University, the President shall in a reasonable time and with appropriate documentation initiate a proposed plan to allocate necessary funding reductions among the primary budgetary sub-units (e.g., academic affairs, student affairs, fiscal affairs, etc.) within the institution. The following procedures shall be followed:

The President shall convene an ad hoc University Council, which shall serve as the institution's Financial Exigency Committee. The membership of this council includes: the President of the University, the President of the Faculty Senate, the President of the Staff Senate, the President and one elected member of the Student Government Association, the President and one elected member of the Graduate and Professional Student Association, three elected members of the staff, one full-time, tenured faculty members elected by faculty from each existing college, the School of Continuing Studies and Academic Outreach, and the University Libraries one dean elected by the deans (not to include the Deans of the College of Medicine and College of Pharmacy), and the vice presidents of Academic Affairs, Health Affairs, Student Affairs, Finance and Administration, and University Advancement

The President's proposed plan for allocating necessary funding reductions to primary budgetary sub-units shall be reviewed by the Financial Exigency Committee. The Committee shall review the amounts of proposed reductions, evaluate proposed reductions in the light of institutional priorities, and consider administrative organization and academic priorities.

It shall also consider the magnitude of proposed reductions in each primary budgetary

East Tennessee State University

sub-unit in the light of factors prescribed by applicable state or federal laws regarding fair employment practices.

The Committee shall submit in writing within thirty days to the President its response to the President's plan, which shall include either an endorsement or a recommendation of alternatives.

The President shall consider any alternatives recommended by the Committee and, within thirty days, shall indicate to the Committee a final decision relative to the internal allocation of necessary funding reductions. This financial plan should be communicated broadly to all personnel constituencies including the Faculty and Staff Senates.

Heads of primary budgetary sub-units, with broad and clearly defined faculty and staff consultation, shall recommend to the President plans for effecting their designated budget reductions. Those recommendations from heads of primary budgetary sub-units shall include proposed reductions in programs or personnel, shall achieve the designated reductions, and shall respond to any inquiries the President or the Financial Exigency Committee may direct.

As a primary component of his or her review of plans submitted by heads of primary budgetary sub-units, the President shall — prior to accepting them — submit the plans for review by the Financial Exigency Committee.

The Committee shall review plans submitted by heads of primary budgetary sub-units with consideration for the following general principles:

Performance evaluations are an inherent part of promotion and tenure decisions. Therefore, performance is a determinant of the tenure, rank and longevity factors listed above. If equality of all the above factors exists, then a special performance evaluation covering the academic careers of the faculty members involved shall be the final deciding factor.

The Financial Exigency Committee shall submit in writing to the President its response to the plans for recommended reductions submitted by heads of primary budgetary sub-units. That response shall include either an endorsement or a recommendation of alternatives.

After appropriate review of response by the Financial Exigency Committee, the President shall indicate acceptance, rejection, or amendments to reduction plans submitted by heads of primary budgetary sub-units. The President shall communicate his or her composite plan for reducing expenditures to the entire campus community. The President shall submit for approval by the Chancellor the composite plan for effecting budgetary reductions as required by the fiscal condition of the institution. That transmittal must include the written response by the Financial Exigency Committee to both (1) the President's plan for allocating necessary funding reductions to primary budgetary sub-units, and (2) plans for primary budgetary sub-units for effecting their designated budget reductions. If the Chancellor approves the plan for implementation, he/she shall submit it as information, together with any analysis he/she may deem appropriate, at the next meeting of the Tennessee Board of Regents.

Procedures for Termination of Personnel Under Conditions of Financial Exigency

East Tennessee State University

Following declaration by the Tennessee Board of Regents that a condition of financial exigency exists at East Tennessee State University, the President of the University — having complied with those actions required subsequent to the declaration of financial exigency — is authorized to carry out those actions, including reduction-in-force, which are included in the plan approved by the Chancellor. Reduction-in-force under this policy may include any personnel classification, including tenured faculty members or probationary faculty members prior to the end of their terms of appointment.

The procedures for termination described in this policy are in force only during a period in which the Tennessee Board of Regents has declared that East Tennessee State University is in a condition of financial exigency. An individual selected for termination shall receive prompt written notification from the President. That notification shall include the following:

1. a statement of the basis on which the individual was selected for termination;
2. an indication of the data or reasons supporting the choice if it is not a clearly defined factor such as rank or tenure status;
3. a statement of the date on which the termination is to become effective;
4. a copy of the declaration of financial exigency adopted by the Tennessee Board of Regents; and e. such other information as the President may deem appropriate.

An individual who receives notice of termination may appeal the decision under the conditions indicated in this section.

1. Faculty who receive notice of termination shall appeal to a Faculty Hearing Committee, which shall consist of nine members of the faculty and administration; five appointed by the Faculty Senate and four appointed by the President. Staff who receive notice of termination shall appeal to a Staff Hearing Committee which shall consist of nine members of the staff and administration; five appointed by the Staff Senate and four appointed by the President.
2. The Faculty or Staff Hearing Committee shall ensure prompt hearings that are thorough and fair but need not be judicial in nature. Strict rules of procedure (e.g., confrontation, cross-examination and formal rules of evidence) need not be required.

The following conditions constitute grounds for appeal by an individual of notice of termination.

1. Established institutional procedures or provisions of Board Policy 5:02:06:00 were not followed.
2. Appropriate criteria were not applied, including but not limited to the allegation that his or her selection constituted a violation of the individual's academic freedom or that unfounded or arbitrary assumptions of fact were made.

The Hearing Committee shall not review the decision concerning the declaration of financial exigency of the President's plan for the amount of reduction to be assumed by each primary budgetary sub-unit.

East Tennessee State University

A recommendation will be sent from the Faculty or Staff Hearing Committee to the President recommending that he/she uphold or reverse the action of termination, and the President will inform the appropriate hearing committee and the individual of a final decision.

The President's final decision may be appealed to the Chancellor and, after he/she has reached a decision, to the Tennessee Board of Regents.

Continuing Rights of Persons Terminated Under Conditions of Financial Exigency

No vacancy caused by a termination under conditions of financial exigency shall be filled for a period of three years from the time of notice of termination without first offering the position to the person terminated (academic or non-academic), provided that the person terminated keeps the institution informed of his or her current mailing address. If the person previously terminated is offered the position and accepts, he/she will be returned to the same rank and tenure status.

Termination of Declaration of Financial Exigency

The policies and procedures established by this policy shall continue in effect during the period of a state of financial exigency. If the financial health of the institution improves sufficiently, the President shall initiate a proposal for the termination of a declared state of financial exigency. At the termination of a declared state, that action by the Tennessee Board of Regents shall cause all policies, procedures, and bodies created in this policy for the sole purpose of making and implementing exigency decisions to cease to exist.

Definitions

The following are general definitions of words and terms used in this policy that are not defined above. These words and terms are subject to further qualification and definition in the previous sections of this policy.

Reduction-in-force — the termination of employment of faculty or staff resulting from a budgetary crisis reflected in a declared state of financial exigency.

Entire institution — any one of the institutions of the Tennessee Board of Regents System for which funds are separately appropriated by the Tennessee General Assembly.

Academic or administrative unit — an academic department or other similar account-level unit.

Representative faculty body — the major faculty organization devoted to governance (as implied in Board Policy 1:03:10:00).

Primary budgetary sub-unit — a major budgetary area of an institution (e.g., academic affairs, student affairs, fiscal affairs) usually headed by an administrator reporting directly to the President.

East Tennessee State University

03/04/85; 06/28/11

[Back to Top](#)

Hiring Procedures for Faculty

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

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

At the time of his/her employment, a new faculty member shall be informed of the current University, college, and department standards by which he/she can expect to be judged for eligibility for tenure. All faculty have access to the complete and updated ETSU Faculty Handbook, which is available online at: <https://www.etsu.edu/senate/facultyhandbook/>.

Chairs and deans shall keep a faculty member informed of their expectations for her/his performance, including requirements for promotions and tenure. Any dramatic alterations in these expectations should be made explicit.

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

Faculty hiring procedures are located in the ETSU Personnel Policies and Procedures Manual, PPP-35:

<https://www.etsu.edu/human-resources/relations/ppp-35.php>

09/15/79; Effective 03/06, policy changes will appear on the webpage cited

[Back to Top](#)

Personnel Policies: Records, Leaves, Benefits, and Retirement

Personnel Records

East Tennessee State University

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

Refer to PPP-03:

<https://www.etsu.edu/human-resources/relations/ppp03.php>

and

TBR Policy 5:01:00:10:

<https://policies.tbr.edu/policies/personnel-records>

REFERENCE TBR meetings: June 25, 1976; March 4, 1977; June 26, 1981; September 18, 1981; September 30, 1983; September 16, 1988; Effective 03/06, policy changes will appear on the webpage cited

Personnel records are public records subject to inspection and copying

Refer to Financial Procedures Manual, FP-12:

<https://www.etsu.edu/bf/fp/12.php>

TBR 5:01:00:10; 9/88; Effective 03/06, policy changes will appear on the webpage cited

Leaves

Adoptive Parents Leave

The previous policy on Adoptive Parents Leave has been replaced with the policy on Parental Leave. Refer to ETSU Personnel Policies and Procedures Manual, PPP-22:

<https://www.etsu.edu/human-resources/relations/ppp22.php>

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

Annual Leave

Refer to ETSU Personnel Policies and Procedures Manual, PPP-17:

<https://www.etsu.edu/human-resources/relations/ppp17.php>

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

Bereavement Leave

Refer to ETSU Personnel Policies and Procedures Manual, PPP-18:

East Tennessee State University

<https://www.etsu.edu/human-resources/relations/ppp18.php>

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

Civil Leave

Refer to ETSU Personnel Policies and Procedures Manual, PPP-19:

<https://www.etsu.edu/human-resources/relations/ppp19.php>

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

Disaster Relief Service Leave

Refer to ETSU Personnel Policies and Procedures Manual, PPP-56:

<https://www.etsu.edu/human-resources/relations/ppp56.php>

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

Educational Leave

Refer to ETSU Personnel Policies and Procedures Manual, PPP-52:

<https://www.etsu.edu/human-resources/relations/ppp52.php>

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

Family and Medical Leave

Refer to ETSU Personnel Policies and Procedures Manual, PPP-46:

<https://www.etsu.edu/human-resources/relations/ppp46.php>

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

Holidays

Refer to ETSU Personnel Policies and Procedures Manual, PPP-14:

<https://www.etsu.edu/human-resources/relations/ppp14.php>

Source: TBR Meetings, October 12, 1972; September 30, 1983; December 14, 1984; December 13, 1985; September 18, 1992; Effective 10/13/11, policy changes will appear on the webpage cited

Leave of Absence

East Tennessee State University

Refer to ETSU Personnel Policies and Procedures Manual, PPP-21:

<https://www.etsu.edu/human-resources/relations/ppp21.php>

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

Leave Transfer Between the State University and Community College System and State Agencies

Refer to ETSU Personnel Policies and Procedures Manual, PPP-25:

<https://www.etsu.edu/human-resources/relations/ppp25.php>

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

Military Leave

Refer to ETSU Personnel Policies and Procedures Manual, PPP-23:

<https://www.etsu.edu/human-resources/relations/ppp23.php>

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

Parental Leave

Refer to ETSU Personnel Policies and Procedures Manual, PPP-38:

<https://www.etsu.edu/human-resources/relations/ppp38.php>

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

Sick Leave

Refer to ETSU Personnel Policies and Procedures Manual, PPP-24:

<https://www.etsu.edu/human-resources/relations/ppp24.php>

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

Voting Leave

Refer to ETSU Personnel Policies and Procedures Manual, PPP-49:

<https://www.etsu.edu/human-resources/relations/ppp-49.php>

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

East Tennessee State University

Retirement

Refer to Personnel Policies and Procedures Manual, PPP-09

<https://www.etsu.edu/human-resources/relations/ppp09.php>

Effective 10/13/11, policy changes will appear on the webpage cited

Benefits

Information on retirement benefits, health insurance, and other benefits is available online at the Office of Human Resources web site:

<https://www.etsu.edu/human-resources/benefits/default.php>

Effective 03/06, policy changes with The Tennessee Board of Regents has established a procedure to ensure that survivors of deceased employees are promptly informed regarding payment of earned wages and any other benefits to which they may be entitled. The procedure can be found at:

<https://policies.tbr.edu/guidelines/benefit-event-employee-death>

Effective 10/13/11, policy changes will appear on the webpage cited

Information on retirement benefits, health insurance, and other benefits is available online at the Office of Human Resources web site:

<https://www.etsu.edu/human-resources/benefits/default.php>

Effective 10/31/11, policy changes will appear on the webpage cited

[Back to Top](#)

Selection and Periodic Review of Academic Administrative Personnel

Selection

Chairs

When a vacancy for the position of department chair exists, it may occur simultaneously with a job opening in the department or it may occur when a chair will no longer serve in that capacity but will remain in the department as a member of the faculty. In both cases, however, the college/school dean will notify the department concerning a vacancy or an impending vacancy.

East Tennessee State University

1. Vacancy Occurring Simultaneously with a Job Opening

The search committee will be composed of at least eight members. The dean of the school or college in which the department is located will ask the departmental faculty to elect five of their own tenured members from the department. If there are less than five tenured faculty in the department, the departmental faculty will choose the remaining members from full-time members of the department. If there are less than five full-time faculty of any designation within the department, then the additional requisite committee members will be chosen by the departmental faculty from full-time faculty from outside the department. The department has the option of selecting one undergraduate or graduate student majoring in the department as one of the five designees. The dean will appoint three additional members of the search committee. If the members chosen by the departmental faculty happen not to be sufficiently diverse in any way, the dean will use his/her appointments to ensure diversity of the search committee. The dean will name as chair of the search committee a committee member who is tenured and not a member of the department.

If the dean and department wish to establish a committee larger than the minimum of eight, this may be done as long as at least 60 percent of the voting members are chosen by the departmental faculty following the previously cited criteria. Individuals who wish to be considered for the vacancy will not serve on the committee.

2. The dean will meet with the search committee and full-time departmental faculty to discuss mutual expectations and needs regarding the department chair. The search committee and full-time departmental faculty will be involved in developing the job description and advertisement for the chair's position. The search committee will seek input from all the faculty in the department and from others as desired, screen candidates for the position, and submit to the dean the names of two or more candidates who they think are best fitted for further consideration. Interviews, if held, will include, at a minimum, meetings with the dean, the search committee, and full-time departmental faculty. If the dean agrees, the committee may submit the name of only one candidate. Candidates may or may not be ETSU faculty.

After the interview process and other due diligence, if the dean finds one or more nominations from the search committee acceptable, the dean will consult with the faculty concerning the preferred candidate(s) and determine that these are acceptable to the majority of the departmental faculty. One acceptable candidate will then be recommended by the dean to the appropriate vice president who, if in agreement, will recommend a nominee to the president. If the dean's nominee is disapproved, the dean may submit other nominations made by the committee. If none of the committee's nominees is acceptable to the dean, or if all of the dean's nominees are disapproved, the dean may request that the committee submit additional names for consideration (and for review and approval by the majority of the department) or may terminate the search and institute procedures for a new search.

When a nominee has been approved by the President, the department will be advised by the dean. Vacancies will be filled as expeditiously as is feasible. If for any reason a chair's position is left vacant pending the appointment of a new chair, the dean of the

East Tennessee State University

school/college will, after seeking the advice of the department and with the concurrence of administrative superiors, appoint an interim chair to serve during the interim.

3. Vacancy Occurring Without a Job Opening

Prior to the selection of a search committee the dean will obtain from the President, via the appropriate vice president, a statement as to whether or not an additional position can be created within the department. If a new position is created, the dean will appoint a committee according to the guidelines in section "Chairs" above. If a new position is not created, the dean will appoint a committee according to the same guidelines with the added restriction that the search must be confined to the present members of the faculty.

Academic Dean

When a vacancy of a position of an academic dean exists, or when it is known that such a vacancy will exist within the next twelve months, the appropriate vice president will inform the faculty of the affected college or school. A search committee will be appointed or otherwise secured by the vice president, who will also appoint the committee chair. This committee will include faculty members and a student or students from the affected college or school, together with other individuals who must never constitute a majority of the committee.

Candidates may or may not be ETSU faculty. Individuals who wish to be considered for the vacancy will not serve on the committee. The search committee will seek the advice of the faculty in the affected college or school and others as desired; will screen candidates for the position; and will submit to the vice president the names of two or more candidates whom they think to be best fitted for the position. The vice president may accept or reject any or all names submitted. If the latter be the case, the committee may be instructed to furnish additional names until an acceptable list is submitted. If, however, one or more nominees is considered to be satisfactory the committee will be consulted regarding these preferences.

The preferred candidate will then be recommended to the President. If the nominee is disapproved, further nominations from the search committee may be submitted. In the event all nominations are disapproved the vice president may request that the committee submit additional names until a satisfactory nominee has been submitted.

There may be deviations from this policy where necessary to conform to the requirements of the accrediting agency having jurisdiction over any college or school.

Vacancies will be filled as expeditiously as is feasible. If a deanship is left vacant pending the selection of a new dean, the appropriate vice president, after consultation with department chairs and such others as are deemed appropriate will, with the concurrence of the President, appoint an acting dean to serve during the interim.

Vice President for Academic or Health Affairs

When a vacancy of the position of the Vice President for Academic Affairs, or Vice President for Health Affairs exists, or when it is known that such a vacancy will exist within the next twelve months, the President will inform the faculty of the affected units of the vacancy. A search committee will be appointed or otherwise secured by the President, who will also appoint the committee chair. This committee will include faculty members and a student or

East Tennessee State University

students from the affected colleges and schools, together with other individuals who must never constitute a majority of the committee. Individuals who wish to be considered for the vacant position will not serve on the committee. The search committee will seek the advice of the faculty and others as desired; will screen candidates for the position; and will submit to the President the names of one or more candidates whom its members think best fitted for the position. The President may accept or reject any or all names submitted. If the latter be the case the committee may be instructed to furnish additional names until an acceptable list is submitted, or other means may be used to fill the position.

Vacancies will be filled as expeditiously as is feasible. If the position is left vacant pending the selection of a new vice president for academic or health affairs, the President will appoint an acting vice president to serve during the interim.

Periodic Review

In addition to annual personnel reviews of all staff, East Tennessee State University conducts periodic reviews of administrators. Ordinarily these reviews occur every four years from the start of an individual's time in a particular position. ETSU's Personnel Policies and Procedures Manual [<https://www.etsu.edu/human-resources/relations/ppp-59.php>] describes the periodic review process in detail, including the calendar, criteria by which administrators will be evaluated, who will participate in the review process, and provisos regarding who is exempt from review.

09/15/79; 12/90; 11/6/97; 04/23/09; 08/01/13

[Top of Page](#)

Standards of Conduct for Faculty

Academic Freedom and Responsibility

East Tennessee State University endorses the 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors as revised and refined since 1940, and also the Statement on Professional Ethics of the same organization, insofar as these are not limited by State law or the policies of the Tennessee Board of Regents. The University recognizes the principle of academic freedom, pursuant to which: The faculty member is entitled to freedom in the classroom in discussing his or her subject, being careful not to introduce into the teaching unrelated subject matter.

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

East Tennessee State University

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

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

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

[Back to Top](#)

Consensual Relationships Policy

<https://www.etsu.edu/policies/employment/consensual-romantic-relationship.php>

05/04/87; 07/91; 03/06/08; 6/9/17; 10/3/18; 11/22/19

[Back to Top](#)

TENURE

See ETSU policy on tenure: https://www.etsu.edu/trustees/documents/academic/academic_tenure.pdf

East Tennessee State University

05/04/87; 07/91; 05/92; 07/92; 09/96; 07/97 (Effective 1998-99 review cycle); 01/02; TBR 04/02/04; 02/12/09; 10/13/11; 08/01/13; 3/23/2015; 7/2/2015; ETSU BOT 5/8/2017

[Back to Top](#)

Workload, Reporting, and Evaluation for Full-Time Faculty

Faculty Workload

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

Departmental Workload Policy

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

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

Individual faculty workloads should be developed by the faculty member and his/her chair working within the guidelines set by the department. The proposed workload should be stated in writing and signed by the faculty member, the chair and the dean. Individual workloads should be set annually for nontenured faculty, who receive annual contracts. For

East Tennessee State University

tenured faculty, individual workloads should be established for a typical period of three to five years. However, since each faculty member is evaluated annually and new opportunities may become available in the areas of teaching, research/scholarship and/or service, faculty workloads may be subject to review and adjustment as reasonable and necessary. The appropriate time of year to establish individual faculty workloads should be determined at the department level, bearing in mind such matters as deadlines for submission of teaching schedules, periods of service on boards or committees, or grant submission deadlines.

Workload Review

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

Workload Limits and Overloads

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

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

Faculty Reporting and Evaluation Process

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

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

East Tennessee State University

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

For each faculty member, students will complete Student Assessment of Instruction (SAI) in at two classes during fall and spring semesters, if the faculty member teaches courses for which such assessment is appropriate. Following the completion of the semester, SAI results are reported to the faculty member, as well as to deans and department chairs. Information about teaching effectiveness, including but not limited to the results of Student Assessment of Instruction, is used in annual evaluation of faculty members and in evaluation of applications for tenure and promotion. 1989; 02/18/07

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

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

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

Evaluation Guidelines

In evaluating the activities of a tenure-track faculty member or one eligible for promotion, the department chair and dean should refer to the discussions of teaching, research/creative activity, and service that appear in the tenure and promotion sections of the ETSU Faculty Handbook and in the department's supplementary criteria for tenure and promotion. In evaluating the activities of a faculty member who has been awarded tenure and promoted to professor or who is otherwise not eligible for tenure or promotion, the department chair and dean should assess the faculty member's continued productivity in teaching,

East Tennessee State University

research/creative activity, and service as appropriate to his/her workload assignments and professional development plan.

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

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

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

10/24/96; 02/18/07

Faculty Progressive Discipline Guidelines

The purpose of these guidelines is to facilitate a productive and harmonious working environment, protect faculty from arbitrary application of disciplinary sanctions, and assure the ultimate and enduring success of East Tennessee State University through adherence to the University core values. These guidelines are predicated on the faculty members' responsibility to maintain and exhibit competence and professionalism in their capacity as faculty; exercise professional and personal integrity and behavior; follow the ethical principles of the academic profession as expressed in the AAUP Statement of Professional Ethics; and adhere to federal and state laws and the rules and policies adopted by Tennessee Board of Regents and the University. The University will respond progressively to faculty members whose behavior fails to meet these expectations through neglect of or failure to perform their responsibilities by imposing sanctions in a manner that assists the faculty member to understand the impact of his or her behavior, and when appropriate, protects the University's ability to carry out its mission by terminating employment.

In applying these guidelines, Chairs are encouraged to contact the Director of Human Resources to discuss the faculty member's situation and to explore whether there are opportunities for professional development workshops, continuing educational opportunities, sensitivity training, or matters that should be referred to the Employee Assistance Program, Office of Disability Services, or other entities.

Application of Policy

This policy applies to all faculty except adjunct and volunteer faculty.

East Tennessee State University

Definitions

Progressive Discipline. “Progressive Discipline” means the process of imposing sanctions in a gradual manner that corresponds to the nature, seriousness and impact of the behavior on the University.

Sanctions. “Sanctions” means corrective measures imposed on a faculty member for disciplinary purposes. Sanctions may range from mild to severe and from informal to formal. However, the imposition of any sanction must be regarded as a serious disciplinary step and even a first offense may warrant the most extreme penalty, including termination.

Chair. “Chair” includes the appropriate supervisor in academic units that do not follow the traditional administrative structure.

Misconduct. “Misconduct” is violation of standards of conduct, behavior, attendance, and job performance consistent with the requirements of the position.

Faculty Member Rights or Recourse

The faculty member may, at any stage of the process, contact a faculty procedural consultant.

The faculty member may submit a written rebuttal to any written reprimand.

The faculty member may, at any time during this process, retain legal counsel at his or her expense.

Procedures and Responsibilities

The following procedures must be followed when a faculty member fails to achieve and maintain standards of conduct, behavior, attendance, and job performance consistent with the requirements of the position. Allegations of discrimination, felonious or illegal conduct, or harassment will be resolved in accordance with appropriate university policies.

Procedures

The Chair shall be responsible for investigating any allegation of misconduct, including employment offenses other than discrimination and harassment, made against faculty members in his or her department and for determining whether an investigation should be conducted. The Chair may determine that the nature of the misconduct may first only require informal discussion. This approach is meant to problem-solve and improve performance, and is not meant to punish the faculty member.

Informal Discussion

Chairs are encouraged to resolve misconduct matters informally. In cases of minor misconduct or performance issues, the Chair should discuss the misconduct and/or performance problems with the faculty member and develop solutions. Written

East Tennessee State University

documentation of these discussions should be maintained by Chairs at the department level.

Any documentation that results from informal discussions should not enter into the faculty member's personnel record and may be discarded if the problem is resolved. If the problem persists, or the nature of the problem warrants more stringent action, the Chair shall proceed to another form of counseling or discipline.

Departmental Counseling Memo

If informal discussions have not solved the problem, or if the nature and severity of the problem warrants more stringent action, the Chair shall give the faculty member a Counseling Memo that his/her conduct does not meet acceptable standards. It is recommended that the Chair consult with the Dean prior to developing the memo. The Counseling Memo should be specific as to the reason for the action and should include a description of corrective action that the faculty member should take. The Chair should clearly state that this is a Counseling Memo and that future incidents or failure to improve job performance, conduct or attendance may result in more progressive discipline. The Chair shall meet with the faculty member to discuss the memo. The faculty member's signature is requested to acknowledge receipt, not necessarily agreement.

The faculty member may provide a written response to the allegations. A response should include any evidence or information the faculty member wants the Chair to add to the record. Any response and/or request for a meeting with the Chair shall be made within 10 working days from the receipt of the Counseling Memo.

A copy of the Counseling Memo and any documentation shall be kept in the Chair's files.

Suggestions for developing a Counseling Memo may be found in [Appendix A](#).

Departmental Written Warning

If a Counseling Memo does not resolve the problem, or if the nature and severity of the problem warrants more stringent action, the Chair shall discuss the matter with the Dean.

If the Chair and Dean concur, the Chair shall give the faculty member a departmental Written Warning that his/her conduct does not meet acceptable standards. While there is an expectation that the normal chain of command would be followed, if the Chair and the Dean do not agree, the Chair may appeal directly to the appropriate Vice President. The Written Warning should be specific as to the reason for the action and should include a description of corrective action that the faculty member should take. This Written Warning must identify any rules, policies or laws that may have been violated, provide any evidence obtained by the Chair, and inform the faculty member of the possible sanctions and of his or her right to respond to allegations. The Chair should clearly state that this is a Written Warning and that future incidents or failure to improve job performance, conduct or attendance may result in more progressive discipline. The Written Warning shall be delivered in a meeting between the Chair and the faculty member (an appropriate third party witness is strongly encouraged). The faculty member's signature is requested to acknowledge receipt, not necessarily agreement.

East Tennessee State University

The faculty member may provide a written response to the allegations. A response should include any evidence or information the faculty member wants the Chair to add to the record. Any response and/or request for a meeting with the Chair shall be made within 10 working days from the receipt of the Written Warning. The Written Warning and any written response shall be placed in the faculty member's official personnel file maintained in the University's Office of Human Resources.

Suggestions for developing a Written Warning may be found in [Appendix B](#).

Further Steps

If the Chair determines that the faculty member's performance has not improved within the time frame detailed in the Written Warning, the Chair shall discuss with the Dean and if they concur the Chair will notify the faculty member in writing. The faculty member must be given 10 calendar days to respond in writing. The Chair should then provide the Dean with any additional/supporting documentation, including any response provided by the faculty member. If the Dean determines further action is necessary, the Dean shall inform the appropriate Vice President of the allegations before any further action is taken. While there is an expectation that the normal chain of command would be followed, if the Chair and the Dean do not agree, the Chair may appeal directly to the appropriate Vice President.

The Chair, Dean, and appropriate Vice President shall discuss all facts related to the allegation and the rules, policies, and laws that may have been violated. If the Vice President determines further action is necessary, the Vice President shall inform Human Resources and the General Counsel before any further action is taken. The president's office shall be notified that the issue has been referred to the office of General Counsel. Depending upon the severity of the alleged misconduct, the President or the President's designee may place a faculty member on leave with pay or reassign him or her to other duties pending completion of an investigation. This shall be effective immediately upon written approval from the President or the President's designee and notice to the faculty member. The Chair, Dean, Human Resources representative, General Counsel, and appropriate Vice President will consider the nature of the behavior and its impact on the University, and the faculty member's employment history, including any past disciplinary actions, to determine the appropriate sanction(s).

Types of Sanctions

One or more types of sanction may be imposed as necessary to address the nature and seriousness of the misconduct. Sanctions include, but are not limited to those listed below. These sanctions do not appear in hierarchical order.

1. Reduction in additional duties (program director, administrative duties or appointments, etc.) with associated reduction in compensation.
2. Loss of summer teaching employment for those on less than twelve month contracts.
3. Loss of financial support for travel and professional development.

East Tennessee State University

4. Loss of raises for a period not to exceed one year.
5. Reduction in salary for a period of one year. The reduction will take place with the next academic year.
6. Reduction in rank with loss of salary not to exceed the prevailing promotional increment. This sanction does not abrogate tenure.
7. Suspension with or without pay.
8. Reduction in contract period.
9. Loss of years of service credit towards tenure.
10. Loss of access to campus facilities.
11. Notification of sanctions to the departmental tenure or promotion committee.
12. Termination. (Termination of a tenured faculty member will follow the University's revocation of tenure procedure).

The Chair and Dean (and applicable Vice President and University Counsel depending on the severity of the sanction) shall meet with the faculty member and notify him/her in writing of sanctions. Sanctions begin immediately. The faculty member shall be given 15 working days from receipt of notification of the sanction to appeal the sanction(s) in accordance with University policy.

Record Retention

Unless otherwise required by law, records shall be retained according to the ETSU records retention policy.

05/2016

[Back to Top](#)

Workplace Violence Prevention Guideline

Refer to ETSU Personnel Policies and Procedures Manual at:

<https://www.etsu.edu/human-resources/relations/ppp58.php>

East Tennessee State University

01/26/90; November 3, 1999 - TBR President's Meeting; 12/01; Effective 03/06, policy changes will appear on the webpage cited

[Back to Top](#)