

Proposal to Amend WKU Faculty Handbook

Section(s) to be amended: III.E.4; III.G.3; IV.B.3

Corresponding page number(s): p. 29; pp. 30-31; pp. 31-38

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1. Type of Change

Editorial (non-substantive)

Substantive

Editorial revisions include updates to the organizational structure, web addresses and names/titles, as well as other similar non-substantive changes.

Addition

Deletion

Revision

2. Proposals should be made in the form of text intended as an addition to or a replacement of, in whole or in part, some current section of the Faculty Handbook.

Rationale for amendment:

Once a faculty member submits their application for instructor promotion, continuance, tenure, or promotion (tenure-eligible ranks) there is no course of action, other than to withdraw the application or appeal after the process is complete, in the event of a negative recommendation at any level. Particularly in a candidate's mandatory year to apply for tenure, there is no option to withdraw the application. The additions proposed below would allow for a candidate to include a formal letter to address concerns or correct facts that led to the negative recommendation at any level. This is particularly important if that recommendation was made based on something other than evidence provided in the portfolio.

Current Wording

Page 29;

III.E. Procedures for Recommending Promotion: (Tenure Eligible Ranks Only)

III.E.4. Notice of Negative Recommendation: If a negative recommendation of promotion is made at any level, this fact must be reported back to the preceding level. The department head must inform the faculty member in writing that a negative recommendation has been made.

Pages 30-31;

III.G. Procedures for Recommending Promotion for Instructors

3. Recommendations:

The Promotion Committee reviews all evaluation materials. During deliberations for candidates being considered during the 2015-2016 academic year, the Promotion Committee may use guidelines for promotion to associate professor established in the areas of teaching and service. The Promotion Committee votes on the candidate and provides a written recommendation to the department head. This recommendation must include the actual vote count for promotion and may also provide additional information deemed relevant to the committee's decision. The Department Head will inform the candidate of its recommendation and the numerical vote.

The department head reviews all relevant evaluation materials and produces a written recommendation by November 1. The department head's recommendation, Promotion Committee's recommendation, and all evaluation materials are forwarded to the college dean. The candidate is informed by the department head of the recommendation and associated rationale at a meeting within one week of the submission of the department head's recommendation to the dean.

The dean makes a decision (subject to approval by the Board of Regents) and informs the candidate and the department head by December 1.

If a candidate's application for promotion is not successful, she/he may appeal to the Provost by February 1. The Provost will review all materials submitted by the candidate and the recommendation/decision letters and will render a final decision by March 1.

If the candidate believes that the decision by the dean or the Provost was arbitrary or capricious, violated standards of academic freedom, or was based on considerations that violate protected rights or interests (e.g., consideration of race, sex, national origin, exercise of free speech, association, etc.), a complaint may be filed as described in Section V of the Faculty Handbook. The complaint shall be in writing and be filed within thirty (30) days after receipt of official notice from the Provost. The faculty member also has the option to file a formal grievance, after all reviews and appeals have been exhausted, in accordance with the procedures outlined in the Faculty Handbook.

IV. FACULTY TENURE AND CONTINUANCE

IV.B.3. Policies and Procedures for Continuance and Tenure Recommendations:

1. In addition to the regular annual evaluations of all faculty members, tenure-eligible faculty members will be evaluated each year on their progress toward tenure. The purpose of this evaluation is to determine whether there has been sufficient progress toward tenure to justify continuation of the faculty member.

Each year, from the first year of appointment through the year preceding the mandatory year for tenure consideration, tenure-eligible faculty will submit continuance materials to the department head for consideration by the continuance committee. The requirement for submission of continuance materials also applies to tenure-eligible faculty members who anticipate applying for tenure prior to the mandatory year.

Materials shall be submitted by January 25 of the first year of appointment and by August 20 for each subsequent year.

Continuance materials usually include, but are not limited to syllabi, examinations, SITE evaluations, activity reports, publications, creative works and evidence of service activities. The contents of any accompanying materials — for example a letter of appointment and workload assignments — used in the committee's deliberations and of all materials accompanying its recommendation shall remain strictly confidential, except as they are conveyed to members of the faculty and administration whose duties require knowledge of the information. Submitted materials shall comply with the department's continuance policy. The department's tenured faculty serves as the continuance committee, excluding any faculty member having a conflict of interest as defined in Section II.X, or any individual with a subsequent role in the continuance decision. The department head is a non-voting member of the committee. The department head shall convene the committee and the committee members shall select a chair. Any committee member may comment on the candidate's materials. The committee then votes for or against continuance by secret ballot.

Tenured faculty members who are unable to participate in person or via electronic means in the meeting must notify the department head in advance and may submit a sealed envelope with comments for each person under review, which will be shared with the department chair and with committee. Anyone participating in the meeting from a remote location must ensure the confidentiality of the meeting.

Absentee ballots can be cast. However, committee members intending to submit absentee ballots must notify the department head in advance. And the department head must establish a deadline prior to the committee meeting for submitting absentee ballots. Those ballots must remain sealed until the committee chair tallies ballots.

Once the committee has met, the committee chair will create a memorandum in which the faculty discussion is summarized and the vote count reported. The committee will be given the opportunity to review, revise, and approve the document. By September 4 (February 1 for the first year evaluation), the committee chair will send this memorandum to the department head.

-By September 14 (February 9 for the first year evaluation), the department head will provide the candidate with a continuance evaluation in which the candidate's strengths and weaknesses in performance, as noted by the committee and/or the department head, will be clearly identified, documented, and explained. This evaluation will include:

- the committee's vote
- the department head's continuance evaluation

Candidate may request committee memorandum through the Office of the Provost.

The candidate will be given an opportunity to meet with the department head and send to the department head and dean a response to these evaluations by September 20 (February 15 for the first year evaluation).

The department head's evaluation and recommendation will be submitted to the college dean no later than September 20 (February 15 for the first year evaluation). The department head's recommendation to the dean will include:

- the result of the continuance committee's vote
- the committee's memorandum in full
- the department head's continuance evaluation

In case of a negative recommendation, the department head will inform the faculty member in writing.

The dean's recommendation shall be submitted to the Provost no later than September 30 (February 22 for the first year evaluation). In case of a negative recommendation, the dean will notify the faculty member. The Provost will submit any negative recommendation to the President and to the faculty member by October 10 (March 1 for the first year evaluation). The President will notify the faculty member of any decision for non-continuance on or before October 15 (March 1 for the first year evaluation).

The probationary requirement may be satisfied through full-time faculty service for five (5) years as an assistant professor or above at WKU. Review typically occurs at the beginning of the sixth full year. Under exceptional circumstances, the University may consider tenure in less than the usual probationary time. Authorized leaves of absences will not be credited toward eligibility for tenure unless otherwise specified at the time they are taken.

b. For faculty hired with a probationary period, the procedures to be followed in tenure recommendations are:

- i. The department head will be responsible for notifying probationary faculty of the date for mandatory consideration of tenure, typically the beginning of the sixth full year. A faculty member who has applied for tenure before the mandatory tenure year may withdraw from the process at any time without prejudice. However, a tenure review must occur in the mandatory year. A faculty member may withdraw a tenure application at any stage of the review during the review process prior to final action by the Board of Regents, but withdrawal of the application at any point during the mandatory review year constitutes a de facto resignation from WKU effective at the end of the academic year, unless the candidate submits a formal letter of resignation. If accepted by the Office of the Provost this formal resignation will be effective at the end of the next academic year.
- ii. Tenure eligible faculty members holding a probationary term of appointment may be granted an extension of the maximum probationary period with no resulting change in employment obligations. See academic policy 1.124V on the Academic Affairs Policies page.
- iii. Faculty members being considered will be responsible for providing the tenured faculty by October 1 with all materials that they wish to be considered in the tenure decision. After the candidate submits all relevant evaluation materials for consideration by the October 1 deadline, nothing may be added or removed from these materials except the addition of recommendation letters.
- iv. Before November 1, the department head will convene all tenured faculty members and preside at the election of a chair of the tenure committee. In convening all tenured faculty members within a department, the department head must consider relationships among faculty to avoid any appearance of impropriety in the tenure process. Any faculty member having a conflict of interest as defined in Section II.X is explicitly excluded from service on the tenure committee. Exclusion of a faculty member from the tenure committee on the basis of any other relationship requires approval from the dean of the college.

The tenured faculty in executive session will discuss the credentials of all faculty eligible for tenure and make appropriate recommendation(s) based upon the department, college and University standards to the department head. The contents of any accompanying materials — for example a letter of appointment and workload assignments — used in the committee's deliberations and of all materials accompanying its recommendation shall

remain strictly confidential, except as they are conveyed to members of the faculty and administration whose duties require knowledge of the information.

The tenured faculty will vote by secret ballot to tenure or not to tenure. The department head may attend the meeting but is not eligible to vote.

Faculty members who are unable to be present at the meeting must notify the department head in advance and with the consent of the department head may submit a sealed envelope with a secret ballot enclosed for each person under review. The chair of the tenure committee will confidentially apprise the members of the tenure committee of the results at the meeting. The written recommendation of the Tenure Committee is forwarded in writing to the department head and must include the actual vote count and any additional information deemed relevant to the outcome. The recommendation of the Tenure Committee will be immediately provided by the department head to the faculty member seeking tenure. In the case of a negative recommendation by the Tenure Committee, the faculty member will have the option of withdrawing the application (but see I above). If the application is not withdrawn by the faculty member, the process will proceed.

- v. By November 1, the department head will forward to the dean a written recommendation on each faculty member for tenure as well as the written recommendation of the Tenure Committee. The department head will advise the candidate in writing of the department head's recommendation by November 15.
- vi. The dean will make a written recommendation to the Provost and forward the recommendations of the department's Tenure Committee and the WKU Faculty Handbook, 25th ed. 38 department head by December 1. The dean will notify the candidate in writing of the dean's recommendation by December 15.
- vii. The Provost will make a written recommendation to the President by February 1 and will forward the recommendations of the department's Tenure Committee, the department head, and the dean. The Provost will inform the candidate of the recommendation by February 1 and the President shall do likewise by March 1. In the case of a negative recommendation by the Provost, the faculty member has the option to file a complaint in accordance with the procedures outlined in Section V of this Handbook.

- viii. The President will make recommendations to the Board of Regents at the April meeting. Faculty members will be notified of the final tenure decision by May 15 and, in case of a negative decision, those in their mandatory tenure year will be allowed an extension of one year.

Revised Wording

Page 29;

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