

3-25-2011

## SR-10-11-21R PTRAHC

Marshall University

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**PROMOTION & TENURE REVIEW AD HOC COMMITTEE  
RECOMMENDATION**

**SR-10-11-21R PTRAHC**

Recommends approval of the attached, Marshall University Board of Governors, Policy No. AA-28, Faculty Tenure, with new language indicated in **bold** and deleted language indicated with ~~strikethrough~~.

**RATIONALE:**

To establish a fair mechanism for reviewing the eligibility of faculty who elect to differently apportion their efforts among the responsibilities of teaching, scholarship, and service so they receive equal consideration for tenure.

**FACULTY SENATE CHAIR:**

APPROVED BY THE  
FACULTY SENATE: Tom Brunner DATE: 3/25/11

DISAPPROVED BY THE  
FACULTY SENATE: \_\_\_\_\_ DATE: \_\_\_\_\_

**UNIVERSITY PRESIDENT:**

APPROVED: [Signature] DATE: 5/6/11

DISAPPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

**COMMENTS:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Marshall University Board of Governors

## Policy No. AA-28

## FACULTY TENURE

## 1 General Information.

- 1.1 Scope: Academic policy regarding the application requirements and process of awarding tenure to eligible faculty.
- 1.2 Authority: W. Va. Code §18B-1-6
- 1.3 Passage Date:
- 1.4 Effective Date: ~~Upon passage~~ **Faculty hired after the effective date of this policy will be governed by the guidelines set forth in this policy. Faculty hired prior to the adoption of this policy may choose to use either the guidelines dated March 8, 2006 or the new guidelines below (adopted mm/dd/yyyy).**
- 1.5 Controlling over: Marshall University
- 1.6 History: Passed Faculty Senate on May 24, 1989, Amended: Faculty Senate Recommendation 93-94-2-FPC; See SR-04-05-(12)-69 FECAHC for revised dates; **Revised SR-10-11-21 PTRAHC**; See SR-03-04 (36) 93 FECAHC for evaluative language.

## 2 Policy

## 2.1 Definition

- 2.1.1 **Tenure has not only the necessary requirement of past and present achievement but also demonstrates the promise of continued achievement.**
- 2.1-1.2 Tenure at Marshall University provides for a continuing series of appointments which may be terminated by the university only for cause or under extraordinary circumstances or reduction or discontinuance of a program.
- 2.1-2.3 When a full-time faculty member is appointed on other than a temporary or tenured basis the appointment shall be probationary. The conditions which govern a probationary appointment are in accordance with the Higher Education Policy Commission's Series 9.

## 2.2 Requirements

- 2.2.1 Tenure shall not be granted automatically, or for years of service but shall result from a process of peer review and culminate in action by the President. The granting of tenure shall be based on a two-fold determination:
  - 2.2.2 That the candidate is professionally qualified;
  - 2.2.3 That the university has a continuing need for a faculty member with the particular qualifications and competencies of the candidate. This determination shall be in accordance with the provisions of Series 9.

- 2.2.4 The professional qualifications of a candidate for tenure will be evaluated ~~on the basis of by using~~ the guidelines which structure pertaining to promotion as described in AA-26 of MU Board of Governor's Policy.
- 2.2.5 The grant of tenure requires that a candidate must have demonstrated professional performance and achievement in all of his or her major areas of responsibility. Additionally, the candidate must have demonstrated exemplary performance in either teaching and advising or in scholarly and creative activities.
- 2.2.6 Tenure may be granted only to faculty who hold the rank of assistant professor or above. Promotion and tenure may be granted concurrently.
- 2.2.7 The maximum period of probation at Marshall University shall not exceed seven years. Before completing the sixth year of a probationary appointment, a non-tenured faculty member shall be given written notice of tenure, or shall be offered a one-year terminal contract of employment for of the seventh year. In exceptional cases, newly appointed faculty members may negotiate the use of prior service at other higher education institutions to reduce the length of the probationary period. The length of the probationary period must be established at the time of initial employment by the President after consultation with the Provost and Senior Vice President for Academic Affairs or Vice President of Health Services and the appropriate dean(s), chair(s) and departmental faculty. The tenure requirements of the college(s) and university must be met and the initial letter of appointment must specify the academic year in which the tenure decision will be made. **See Policy AA-43 for circumstances leading to an extension of the probationary period.**
- 2.2.8 If the status of a faculty member changes from temporary to probationary, the time spend at the institution may, at the discretion of the President, be counted as part of the probationary period. A faculty member wishing to count years ~~on of~~ a temporary appointment as part of the probationary period must make such requests at the time of initial appointment to a tenure-track position. The request should be initiated through the department chair and should flow through appropriate channels. Requests made after this time will be denied. If no request is made, the years ~~on of~~ the temporary appointment will not be counted as part of the probationary period.
- 2.2.9 The original hiring agreement should state that the faculty member being employed for a tenure-track position has the option of requesting that his/her temporary service be counted toward tenure. If the option is exercised, the faculty member must be cautioned that his/her years of temporary service will be evaluated by the same criteria as tenure-track service. This policy shall not be applied retrospectively.
- 2.2.10 The above provisions for tenure do not apply to persons who have appointments as full-time administrators or staff members.

### 3 Procedure

#### 3.1 Notification of Probationary Faculty

- 3.1.1 At the time of initial appointment, the department chairperson will notify in writing each probationary faculty member of the requirements and guidelines for tenure,

including any which apply specifically within the faculty member's department. The faculty member will acknowledge in writing receipt of this notification. Lack of acknowledgment is not grounds for dismissal, nor is it reason for appealing a denial of tenure.

- 3.1.2 All probationary faculty **members** must be notified annually in writing by peer committees, chairpersons, and/or deans of their progress toward tenure and/or promotion. Notifications should identify specific areas of improvement needed for tenure or promotion. (SR-04-05-(37) 94 FECAHC).
- 3.2 The Tenure Process
- 3.2.1 Each college or equivalent unit will develop written procedures and performance criteria for implementing the tenure requirements in the Higher Education Policy Commission's Series 9. College tenure procedures and criteria must be approved by the dean in consultation with the faculty, approved for consistency with the university's and the Higher Education Policy Commission's policies by the Faculty Personnel Committee and the Provost and Senior Vice President for Academic Affairs or, where appropriate, the Vice President for Health Sciences.
- 3.2.2 Each faculty member will have the primary responsibility for initiating his or her application for tenure. However, the department chairperson, **division head**, or an **intradepartmental promotion committee** may initiate **an application a recommendation** for tenure.
- 3.2.3 Unless demonstrated extraordinary circumstances prevent an application during the sixth year of a faculty appointment, the person who chooses not to apply will not be considered for tenure and will be offered a one-year terminal contract of appointment.
- 3.2.4 A candidate for tenure will submit an application by the established departmental deadline to the chairperson/division head, who will forward it to an **intradepartmental tenure committee**. If the candidate holds graduate or associate graduate faculty status, the chairperson/division head will notify the graduate dean of the application, giving him or her an opportunity to provide to the departmental committee any information that he or she may have bearing upon tenure.
- 3.2.4.1 **After the candidate has submitted his or her packet to the chairperson/division head, and the chairperson/division head has signed and dated the routing document, no** ~~Ne~~ items may be added to or deleted from the application **after** , **except for any letters of appraisal and the recommendations and rationale provided by committees and administrators in this process this point.**
- 3.2.4.2 **Colleges may permit their Departments/Divisions to solicit external reviews of a candidate's application or prohibit them from doing so. A college's decision in this matter will become part of their promotion guidelines. If external review is permitted, any rules regarding external review must become part of both the promotion and tenure guidelines. In Departments/Divisions that are permitted to use external review, the process will apply to all candidates or to none. When a Department/Division requires external review of a candidate's packet, it is**

**necessary that the selection of reviewers be transparent and collaborative. Both the candidate and the departmental committee will submit names of reviewers with credentials summarized and attached, to be narrowed to a joint, agreed upon list. Candidates may accept or challenge names on the list. In the case of deadlock, the dean or dean's designee will make the final decision.**

- 3.2.4.3 The **department/division** committee will prepare a written recommendation with respect to the qualifications of the candidate for tenure and submit it with the candidate's application to the chairperson/division head.
- 3.2.5 Beginning with the departmental committee level and continuing thereafter through each step of the decision-making process, the candidate shall **will** be informed in writing of any recommendation to deny tenure. **Candidates will also be provided with a written rationale as to the reasons for the negative recommendation.**
- 3.2.6 The chairperson/division head will prepare a written recommendation with respect to the qualifications for tenure and submit it along with all other materials received from the candidate and from the ~~intra~~departmental committee to the college dean by February 15.
- 3.2.7 The dean will submit all applications and recommendations to a college level promotion and tenure committee (or its equivalent). The committee will evaluate each candidate for tenure and submit a written recommendation for each candidate, along with all material received, to the dean. **College promotion and tenure committees must have representation from each Department or Division.**
- 3.2.8 Upon receipt of recommendations by the college promotion and tenure committee, the dean will prepare a written recommendation for each candidate. The dean will submit his or her recommendations and those of the college committee, the chairpersons/division heads and ~~intra~~departmental committees to the Provost and Senior Vice President for Academic Affairs, or where appropriate, the Vice President for Health Sciences by March 25.
- 3.2.9 The Provost and Senior Vice President for Academic Affairs or, where appropriate, the Vice President of Health Sciences will prepare a written recommendation for each candidate and submit it together with all **of the** recommendations **and application materials** received from the deans to the President by April 22.
- 3.2.10 Tenure decisions will result from action by the President at the conclusion of the tenure process. The President will prepare a list of those granted tenure and send an informational copy to the chairperson of the Faculty Personnel Committee by April 30.
- 3.2.11 The President will inform by letter all candidates for tenure of his or her decision by April 30. An applicant denied tenure will be notified via certified mail. All application materials **and tenure recommendations and rationale** will be returned to ~~each~~ **the** candidate at this time. The entire tenure process must adhere to university time guidelines and conclude no later than April 30.
- 3.2.12 **Should the due dates fall on a non-business day, documents will be due on the next business day.**

- 3.2.13 All application materials and tenure decisions ~~and recommendations shall be considered~~ **will be returned to the candidate at the end of the tenure process. All external reviews of a candidate's application will only be returned if the candidate files a written request to the Provost. The Provost's office may retain one copy for archival purposes. No additional copies may be archived without the expressed written permission of the candidate. The packet is confidential to all persons not directly involved in the tenure process except in for** circumstances in which a legal "need-to-know" basis has been established.
- 3.2.14 No person, including the applicant, may present information in person to tenure committees.
- 3.2.15 An applicant denied tenure may request a statement of reasons from the President according to the provisions of Series 9.
- 3.2.16 An applicant denied tenure by the President may file a grievance.