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SR-93-94-3 (EC)

Marshall University

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**EXECUTIVE COMMITTEE
RECOMMENDATION**

SR-93-94-3 (EC)

To approve the following:

The Marshall University Faculty Senate endorses Dr. Alan Gould's response to the report of the Ad Hoc Committee on Tenure (copy attached).

FACULTY SENATE PRESIDENT:

APPROVED BY SENATE: Bertram W Gross DATE: 9/30/93

DISAPPROVED BY SENATE: _____ DATE: _____

UNIVERSITY PRESIDENT:

APPROVED: *[Signature]* DATE: 10/17/93

DISAPPROVED: _____ DATE: _____

COMMENTS:

Amended on the Senate floor.

Response
to
Report of The Ad Hoc Committee on Tenure
of
June 8, 1993

Points Addressed:

General

4. As all tenure provisions are incorporated into Marshall University tenure decisions, care must be exercised to assure that untenured persons currently employed in tenure track positions are not disadvantaged. To this end, current tenure track faculty should be allowed to negotiate a tenure decision earlier than the seven-year maximum, consistent with the same provisions as incoming faculty.

The Office of Academic Affairs proposes that all untenured faculty currently employed in tenure track positions be given the opportunity to negotiate prior service at other higher education institutions, to reduce the length of the probationary period if the Faculty Senate and the President approves a change in the Greenbook policy under Tenure, Probation and Tenure Requirements, B. Tenure Requirements, Number 5 (p 17). This negotiation will follow the procedure for new hires under the Guidelines for Tenure.

This window of opportunity will be offered for a specific period of 30 days. After the period of 30 days, the determined tenure year for each currently employed untenured faculty shall be noted and placed in each individual's permanent file.

5. Policy language incorporated into the Greenbook and in the initial letter of appointment should be developed by legal counsel.

The Office of Academic Affairs met with the General Counsel, Layton Cottrill to finalize language.

Greenbook Changes

1. The portion of the Greenbook titled FACULTY PERSONNEL POLICIES should be amended as follows: (Note: Inserted language is underlined.)

TENURE, PROBATION, AND TENURE REQUIREMENTS, B. Tenure Requirements, Number 5 (p. 17).

5. The maximum period of probation at Marshall University shall not exceed seven years. Before completing the sixth year of a probationary appointment, a nontenured faculty member shall be given written notice of tenure, or shall be offered a one-year terminal contract of employment for 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 Vice President of Academic Affairs or Vice President of Health Sciences 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.

The above recommendations are supported by the Office of Academic Affairs.

Offer Letter

1. For positions funded by grants or other "soft money" sources, the initial offer letter needs to specify that the position is non-tenure track and that continuation

of the position is contingent on both performance and availability of funds.

2. The offer letter shall contain a statement that tenure is based on both the performance of the faculty member and the university's need for the position (Policy Bulletin 36, Section 8.2) which states: "In making tenure decisions, careful consideration shall be given to the tenure profile of the institution, projected enrollment patterns, staffing needs of the institution, current and project mission of each department/division, specific academic competence of the faculty member, and preservation of opportunities for infusion of new talent."
3. The initial offer letter should include the year when the faculty member will be eligible for tenure consideration.

The Office of Academic Affairs will prepare a standard offer letter format for use by the Colleges, incorporating the above suggestions.

Recommended Procedures

1. The sequence leading to the notification of first year faculty of their retention for a second year by March 15 should be adjusted to permit department chair's evaluation to be submitted after the end of the first semester. This change will provide for student evaluations and consideration of a full semester's work by the faculty member.
2. A second evaluation of first year faculty should be conducted at the end of the first year, with recommendations for improvement based on the entire year's performance.
3. A formal evaluation of progress toward tenure should be conducted during the third year of employment.

The Office of Academic Affairs supports the above recommendations and such evaluations will be reviewed by this office.

Policy Implementation

1. A series of workshops for chairs and deans dealing with evaluation procedures and their tenure implications should be conducted during the 1993-94 academic year, with periodic updates to assure consistency of policy applications.
2. The annual evaluation instrument should be examined to determine the usefulness for determining tenure decisions, particularly its ability to identify strengths and weaknesses of faculty and the opportunity to develop an improvement plan.

The Office of Academic Affairs in cooperation with the Faculty Senate and the Office of General Counsel will provide workshops during the 1993-94 academic year covering, offer letter, evaluation procedures, and faculty improvement plans.