



## EASTERN KENTUCKY UNIVERSITY

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**TO:** The University Community

**CC:** Dana Fohl, J.D., Vice President of Compliance & University Counsel  
Sara Zeigler, Ph.D., Provost and Senior Vice President for Academic Affairs  
David T. McFaddin, Ed.D, President

**FROM:** Ethan Durham, Manager of University Policy Development & Administration

**DATE:** November 4, 2025

**RE:** Academic Regulation 4.6.7 Post Tenure Review

### MEMORANDUM

Substantive revisions to Academic Regulation 4.6.7, Post Tenure Review, are drafted and currently in the final days of the required ten-day public comment period. Pending any minor revisions that may result from the comment period, the Regulation is being submitted for approval by the Provost Cabinet and thereafter the President, in accordance with University Policy 1.1.1, Policy on Policies and Regulations.

During the 2025 Regular Session of the Kentucky General Assembly, House Bill 424 amended KRS 164.360, KRS 164.230, and KRS 164.830 to establish new requirements governing faculty employment and evaluation at public universities. Specifically, the legislation authorizes institutional boards of regents to delegate the appointment and removal of faculty to the university president, requires that faculty evaluations be conducted at least once every four years, and mandates that each board approve a performance and productivity evaluation process for all faculty members by January 1, 2026.

In response to these statutory changes, several policy drafting teams were convened in Fall 2025 under the facilitation of Provost's Fellow Lisa W. Kay, Ph.D., through a partnership between the Office of University Counsel & Compliance and Academic Affairs. These teams were charged with reviewing and updating University policies to ensure compliance with House Bill 424 and consistency with existing institutional procedures.

Please be advised that a drafting team was convened and included the following members: Dana Fohl, J.D., University Counsel & Vice President for Compliance; Dana Bush, Ph.D.; Jessica Crist, Ph.D.; Mike Lane, Ph.D.; Mike Austin, Ph.D.; Ray Lauk, Ph.D.; and Jill Campbell, Ph.D.; John Dixon, Chief Human Resources Officer; and Lisa W. Kay, Ph.D.

#### I. Summary of Revisions

Substantive revisions to 4.6.7, Post-Tenure Review, were made in accordance with updates to companion policies 4.6.17, Annual Review of Tenured Faculty, and 4.6.16, Dismissal of Faculty. The regulation now incorporates updated performance criteria consistent with the new Tenured Faculty Evaluation Rubric, replacing the term "below standards" with "falls below expectations"

and shifting the triggering review from Year Three to Year Four. These revisions clarify activation conditions and explicitly tie the post-tenure review process to the annual evaluation cycle and rubric outcomes.

The committee procedures have been streamlined while preserving the University Post-Tenure Review Committee structure. The revision clarifies that election to the university pool does not disqualify members from serving on other committees, reduces procedural timelines from 10–30 days to 5–10 days, and updates references from the former Third-Year Review Committee to the Fourth-Year Review (FYR) Committee.

The activation and review process has been simplified to a direct three-step procedure led by the Department Chair and Provost, replacing the prior multi-layer notification sequence. Timeframes throughout have been shortened, and the Provost's decision on sanctions is now final, removing the previous Faculty Evaluation Appeals Committee (FEAC) process.

Development plan provisions have been refined to clarify the approval hierarchy (Department Chair, Dean, and Provost) and to specify that the Chair holds final approval before advancing the plan for higher-level review. The maximum duration for development plans has been reduced to one year, with one optional extension in extenuating circumstances.

Finally, the regulation incorporates terminology, capitalization, and formatting updates to improve consistency and readability across the policies, and language on responsibilities has been removed to align with the structure and language of related faculty evaluation policies.

## **II. Vetting and Approval**

In accordance with University Policy 1.1.1, these proposed revisions to 4.6.7ACR, Post Tenure Review, are currently in the required ten-day public comment period scheduled to conclude at the opening of business on November 6, 2025. Pending any minor revisions that may result from the comment period, the Academic Regulation is being advanced to the Provost Cabinet and thereafter the President for vetting and approval to ensure timely inclusion on the agenda for the November 12, 2025, quarterly meeting of the Board of Regents.

For reference, the following entities will receive this Regulation for informational purposes only: the Faculty Senate. A copy of the Regulation is attached for review.

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**For Use by Provost and Provost Cabinet Members Only:**

To ensure timely consideration of received feedback, I respectfully request that each member review this Memorandum and that it be completed by **one Representative on behalf of the Provost Cabinet** and returned to me as soon as possible. Members of the Provost Cabinet are free to consult additional stakeholders, who may provide comments and recommendations on this matter; however, the Action indicated below should only be submitted by or on behalf of the members of the Provost Cabinet.

**Action:**

- ☐ Approve and recommend forwarding to the President for signature;
- ☐ Do not approve and do not recommend forwarding to the President for signature; or,
- ☐ Recommend other action as follows: \_\_\_\_\_

Sara Bigler 11/11/2025  
Signature Date

**For Use by the President Only:**

The ten-day public comment period on this Regulation has lapsed; this Regulation has been provided to the Faculty Senate for informational purposes; and the Provost and members of the Provost's Cabinet have overwhelmingly recommended this Regulation be approved. Accordingly, this Regulation is approved with the President's signature below:

David M. Felt 11-12-2025  
Signature Date