



# Eastern Kentucky University

## Policy and Regulation Library

Academic Regulation: 4.4.7ACR

Responsible Office(s): Office of the Provost

Effective: January 25, 2016

Next Review Date: Spring 2030

## Academic Regulation: 4.6.7ACR

### Post-Tenure Review

#### Statement

Tenured faculty members at Eastern Kentucky University share the responsibility to maintain an appropriate level of teaching, scholarly/creative activities, and service. Per Policy 4.6.17, Annual Review of Tenured Faculty, all tenured faculty shall be evaluated by the Department Chair/Unit Head on the Tenured Faculty Evaluation Rubric.

The Post-Tenure Review policy is intended to be a final opportunity to improve deficient performance. This policy does not replace Policy 4.6.16, Dismissal of Faculty, nor does it prevent the University from dismissing a tenured faculty member without using the Post-Tenure Review process if the dismissal is for cause, for financial exigency, or for program discontinuance. The University may choose to use the Post-Tenure process in lieu of immediate dismissal for cause.

The Post-Tenure Review policy does not go into effect until at least one of the

following conditions apply:

1. Refusal to participate in the annual review process as described in Policy 4.6.17, Annual Review of Tenured Faculty;

2. A "falls below expectations" rating in teaching in the Year Four Review and in the review in the subsequent year as evaluated in Policy 4.6.17, Annual Review of Tenured Faculty.
3. A "falls below expectations" and "insufficient progress" rating occurring in the same area of deficiency in two consecutive review cycles (see Policy 4.6.17); or
4. A recommendation from the Department Chair, the College Dean, and the Provost to activate the process in lieu of immediate dismissal for cause.

Refusal of the faculty member to participate in any part of the post-tenure review process will result in sanctions as described in this policy. The post-tenure review process may be used no more than twice for the same faculty member.

## Entities Affected

- Colleges
- Departments
- Faculty
- Provost Office

## Procedures

### **Establishing the Post-Tenure Review Committee**

The University will establish a Post-Tenure Review Committee by carrying out the following procedure:

1. No later than May 1 prior to the year the Post-Tenure Review Committee is to function, each College will elect two tenured faculty, one member and one alternate, from within the College to comprise a University pool of eligible members for the Committee. Election for service into the University pool of eligible members of the Committee shall not disqualify a tenured faculty member from service on any other Department, College, or University committee.
2. In the event post-tenure review is activated, the Post-Tenure Review Committee shall consist of four members from the University pool excluding the member from the College of the faculty member under review. The faculty member under review shall select the fifth member of the Committee from any tenured faculty member within or outside the faculty member's College. The faculty member under review shall have 10 Days from receipt of the Post-Tenure Review Activation Form to submit the name of the fifth member of the Committee to the Provost. If the faculty member does not submit a name within the 10 Days, the elected representative from the faculty member's college will serve on the Post-Tenure Review Committee.
3. The Chair of the Post-Tenure Review Committee shall be elected from the active members by the Committee after its activation by the Provost

### **Post-Tenure Review Procedures**

1. A Department Chair/Unit Head will activate the post-tenure review process by submitting the Post-Tenure Review Activation Form and all supporting materials to the Provost and the faculty member, indicating the condition that is activating the process to Post-Tenure Review.
2. The tenured faculty member will have an opportunity to respond in writing within 10 Days of notification of the post-tenure review process being activated.
3. Within 5 Days after receipt of the tenured faculty member's response, the Provost will activate the Post-Tenure Review Committee as described above and shall forward the Post-Tenure Review Activation Form and all supporting materials to the Chair of the Committee.
4. Within 10 Days of receipt of the materials, the Post-Tenure Review Committee shall state in writing whether they concur with the recommendation for post-tenure

review. If the Committee does not concur with the recommendation for post-tenure review, the Committee shall state in writing the reasons for the differing recommendation. The Committee shall forward the Post-Tenure Review Activation Form and all supporting materials to the Dean of the faculty member's college.

5. Within 5 Days, the Dean shall state in writing whether the Dean concurs with the recommendation for post-tenure review. If the Dean does not concur with the recommendation for post-tenure review, the Dean shall state in writing the reasons for the differing recommendation. The Dean shall forward the Post-Tenure Review Activation Form and all supporting materials to the Provost.
6. If the Provost concurs that there is sufficient basis for a recommendation of post-tenure review, the faculty member under review and the Department Chair/Unit Head shall be notified in writing within 5 Days.
7. Within 10 Days of receiving notification, the faculty member and the Department Chair/Unit Head, in consultation with Fourth Year Review (FYR) Committee shall create a development plan to address the deficiencies. The Department Head/Unit Head has final approval on the development plan. Then, the Department Chair/Unit Head must forward to the Dean and the Provost for approval.

### **The Development Plan**

Development plans shall be for a maximum of one year. In extenuating circumstances, an additional year may be granted with the approval of the Department Chair/Unit Head, Dean, and Provost.

The development plan shall

1. Identify specific concerns to be addressed;
2. Define specific outcome objectives to remedy the concerns that are reasonable and measurable;
3. Outline the activities required to achieve the objectives;
4. Set timelines, with specific milestones throughout the plan, for achieving the objectives;
5. State the criteria for progress reviews and for completion of the plan; and
6. Identify sources of funding required to implement the plan, if necessary.

### **Assessment of the Development Plan**

1. At each milestone in the development plan, the FYR Committee shall assess the achievement of the stated objectives. If a milestone objective has not been satisfactorily met, the FYR shall notify the Department Chair/Unit Head in writing. The Department Chair/Unit Head may recommend the faculty member continue with the development plan or may recommend a sanction. If a sanction is recommended, the Department Chair/Unit Head shall forward the recommendation and the report of the FYR Committee to the Post-Tenure Review Committee. The recommendation of sanction shall then follow steps 5-8 below.
2. Within 10 Days of the conclusion of the development plan, the FYR Committee shall assess the achievement of the stated objectives and shall write a report indicating how each objective was achieved or not achieved. The committee can make one of two findings:

- a. the faculty member has fulfilled the development plan objectives and the review period has been completed with an overall satisfactory rating, or
  - b. the faculty member has continued performance deficiencies.
3. The FYR Committee shall submit the report to the Department Chair/Unit Head.
4. If the Department Chair/Unit Head concurs with a finding that the development plan has been fulfilled, the faculty member will resume the normal annual review cycle as provided in Policy 4.6.17, Annual Review of Tenured Faculty. If the Department Chair/Unit Head does not concur with a finding that the development plan has been fulfilled or concurs with a finding that the faculty member has continued performance deficiencies, within 5 Days, the Department Chair/Unit Head will indicate in writing with a justification and a recommendation of a sanction. The Department Chair/Unit Head will forward the recommendation, the FYR Committee's report, and all supporting materials to the Post-Tenure Review Committee.
5. Within 5 Days, the Post-Tenure Review Committee shall state in writing whether they concur with the recommendation for sanction. If the Post-Tenure Review Committee does not concur with the recommendation for sanction, the Committee shall state in writing the reasons for the differing recommendation. The Committee shall forward the FYR Committee report, all recommendations, and all supporting materials to the Dean of the faculty member's college.
6. Within 5 Days, the Dean shall state in writing whether he/she concurs with the recommendation for sanction. If the Dean does not concur with the recommendation for sanction, the Dean shall state in writing the reasons for the differing recommendation. The Dean shall forward the FYR Committee report, all recommendations, and all supporting materials to the Provost.
7. Within 5 Days, the Provost shall notify the faculty member in writing, with a copy to the Dean, the Department Chair/Unit Head, and the Chair of the Post-Tenure Review Committee, whether the Provost concurs with the recommendation for sanction. If the Provost does not concur with the recommendation for sanction, the Provost shall state in writing the reasons for the differing decision.
8. The Provost's decision is final.

## **SANCTIONS**

Sanctions may include reassignment of duties, a salary freeze, a reduction in rank, a leave of absence, or other appropriate measures, including dismissal as provided in Policy 4.6.16, Dismissal of Faculty.

## **Responsibilities**

- College Dean
  - At a minimum, the Dean is responsible for
    - making recommendations regarding activation of the post-tenure review process
    - approving a post-tenure review development plan

- making recommendations regarding sanctions resulting from post-tenure review
- Department Chair/Unit Head
  - At a minimum, the Department Chair/Unit Head is responsible for
    - notifying the faculty member of the intent to activate the post-tenure review process
    - submitting materials for the activation of post-tenure review
    - approving a post-tenure review development plan
    - making recommendations regarding sanctions resulting from post-tenure review
- Faculty Evaluation Appeal Committee
  - The Faculty Evaluation Appeals Committee is responsible for
    - ensuring appeals are reviewed only on the grounds stated in this policy
    - reviewing the appeal and the evidence submitted by the faculty member
    - submitting findings and recommendations to the President
- Post-Tenure Review Committee
  - At a minimum, the Post-Tenure Review Committee is responsible for
    - making recommendations regarding activation of the post-tenure review process
    - making recommendations regarding sanctions resulting from post-tenure review
- Provost
  - At a minimum, the Provost is responsible for
    - making recommendations regarding activation of the post-tenure review process
    - approving a post-tenure review development plan
    - making final decisions regarding sanctions resulting from post-tenure review
- Tenured Faculty Member
  - The tenured faculty member is responsible for knowing and complying with this policy.
- Fourth Year Review Committee
  - The Fourth Year Review Committee from the tenured faculty member's department/unit is responsible for
    - working with the tenured faculty member to create a post-tenure review development plan
    - assessing the achievement of milestones in the post-tenure review development

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| <b>Regulation Adoption Review and Approval</b> |
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**Regulation Revised**

**DATE**

February 28, 2025

**ENTITY**

Provost

**ACTION**

Reviewed & Readopted

**DATE**

October 18, 2024  
January 25, 2016  
December 9, 2015  
November 4, 2015  
October 5, 2015

**ENTITY**

University Counsel  
Board of Regents  
President Benson  
Provost Council  
Faculty Senate

**ACTION**

Editorial Revision  
Adopted  
Approved  
Approved  
Approved

**Regulation Issued****DATE**

October 21, 2000  
September 21, 2000  
  
September 11, 2000

**ENTITY**

Board of Regents  
Council on Academic  
Affairs  
Faculty Senate

**ACTION**

Adopted  
Approved  
  
Approved

DRAFT