



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: October 24, 2025

RE: Notification of Comment Period: 4.6.17POL Annual Review of Tenured Faculty

MEMORANDUM

Academic Regulation 4.6.17, Annual Review of Tenured Faculty, has been drafted with proposed substantive revisions and is being recommended for elevation to a University Policy. The draft has been posted for the required ten-day public comment period in accordance with [University Policy 1.1.1, Policy on Policies and Regulations](#). Copies of the draft revisions and the public comment form are available on the Eastern Kentucky University (“EKU” or “University”) Policy Website.

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 occur 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

To meet the compliance requirements with House Bill 424 and allow adoption by the Board of Regents (“Board”) at its next regularly scheduled quarterly meeting on November 12, 2025, the comment period will follow a modified procedure consisting of ten calendar days, rather than ten business days. The period will begin on October 24, 2025, and close at the opening of business on Tuesday, November 4, 2025.

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 for 4.6.17 Annual Review of Tenured Faculty, 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

4.6.17, Annual Review of Tenured Faculty is being recommended for elevation to a University Policy to comply with House Bill 424, which requires the Board of Regents to formally adopt faculty performance and productivity evaluation processes. While Academic Regulations are approved by the President, University Policies are subject to direct approval by the Board; therefore, this elevation of policy type meets ECU's statutory compliance.

Substantive revisions include updates to the Establishing Performance Standards section to align with KRS 164.360 and to incorporate a new Tenured Faculty Evaluation Rubric to be adopted by the Board. The section also reflects revised procedures for establishing and approving departmental performance standards, including clarified roles, approval, and responsibilities.

The Annual Review Process has been updated to operate on a four-year recurring cycle (formerly a three-year cycle), consistent with the statutory requirement that faculty evaluations occur at least once every four years. Corresponding updates have been made to the Year Four Review section, including the explicit addition of collegiality as a criterion for consideration.

Additional revisions include changes in the Year Four Review section, such as when a faculty member falls below expectations, and the removal of the "Establishing the Department Third-Year Review Committee for Tenured Faculty (TYR)" section. Numerous other editorial and procedural updates were made throughout the document to modernize language, streamline the evaluation processes, reflect current University best practices, and comply with House Bill 424.

II. Vetting and Approval

In accordance with Policy 1.1.1, these proposed revisions to 4.6.17, Annual Review of Tenured Faculty, are now submitted to the University community for review during the public comment period. As required, the President's Cabinet, Provost Cabinet, Staff Council, and Executive Committee of the Faculty Senate are being notified of this posting. All comments received during the ten-day period will be routed by the University Policy Designee to University Counsel, the drafting team, and other appropriate stakeholders for consideration prior to finalization.

Should you have questions, please leave a comment directly on the public comment form on the ECU Policy Website or reach out to the Office of University Counsel (university.counsel@ecu.edu).
