



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 29, 2025

RE: Notification of Comment Period: 4.6.7ACR Post Tenure Review

MEMORANDUM

Academic Regulation 4.6.7, Post Tenure Review, has been drafted with proposed substantive revisions and 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 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.

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 Wednesday, October 29, 2025, and close end of day on Thursday, November 6, 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 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 Policy 1.1.1, these proposed revisions to 4.6.7ACR, Post Tenure Review, 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 EKU Policy Website or reach out to the Office of University Counsel (university.counsel@eku.edu).
