

Section 4
The Faculty

4.1 SUBJECT: TENURE

Date Adopted: September 6, 1980
Date Amended: April 25, 1987
Date Amended: September 12, 2008

References: Minute Book: 23 Page: 503
Minute Book: 37 Page: 19

Only the Board of Regents by a majority vote of its membership may grant tenure to a faculty member. In the absence of such affirmative action by the Board, no individual is recognized as having tenure status.

The President will receive advisory recommendations both favorable and unfavorable for the granting of tenure from the Provost via the University Tenure Committee. Based upon those recommendations and the President's own evaluation of both the candidate's capabilities and the needs of the university, the President will submit the names of those faculty members he/she recommends for the granting of tenure to the Board of Regents. Upon request, the President shall also provide the names of faculty not recommended for tenure, the advisory recommendations of each of the Provost and University Tenure Committee, and any other information the board desires.

While meeting dates of the Board of Regents vary from year to year, the Board usually considers the President's tenure recommendations during the last quarterly meeting of the fiscal year.

Academic tenure may be granted only by formal action of the Board of Regents following the completion of the process described in this policy. The granting of academic tenure is an action with legal, societal and ethical implications. Therefore, the recommendation for tenure will be a deliberate and thoroughly considered act. Academic tenure is granted to a member of the faculty for three reasons:

- A. To maintain an atmosphere favorable to academic freedom.
- B. To provide the faculty member a reasonable expectation of security so that the university may attract and retain quality professional men and women.
- C. To promote institutional stability by creating a faculty with a strong, long-term commitment to Murray State University.

Once tenure has been granted, the faculty member will receive an annual contract renewal unless the faculty member is dismissed for cause or separated due to financial exigency or other reduction in force pursuant.

Tenable Appointments

A tenurable appointment is one held by a faculty member. Regular faculty, Department Chairs, Assistant Deans, Deans, the Provost and the President have tenurable appointments as faculty. Academic Deans, the Provost and the President shall be tenured by the Board of Regents at the faculty rank for which they meet the criteria at the time of their appointment to a permanent deanship. The granting of tenure applies only to the faculty appointment and does not extend to the administrative position.

A faculty member shall hold tenurable appointment provided that the faculty member:

- A. is either employed at least half-time in teaching credit courses, in professional library services or Breathitt Veterinary Center, or
- B. holds the position of Chair, Academic Dean, or Assistant Dean. It is expected that Chairs will teach at least six (6) credit hours each semester and Deans will teach at least three (3) credit hours each semester.

Other employees whose primary responsibilities do not include teaching, as evidenced by the employment contract, do not hold a tenurable appointment. Such individuals may have classroom teaching responsibilities assigned as part of their regular duties.

The appointment and subsequent reappointment(s) of a faculty member to a position funded more than 50 percent from sources other than continuing funding shall specify in writing that the continuation of the faculty member's services shall be contingent upon the continued availability of such funds.

A faculty member holding a tenurable appointment does not relinquish such appointment when assigned to a position funded by non-recurring funds, unless otherwise agreed to in writing by the individual and the Dean.

With the exceptions herein noted, an appointment funded by non-recurring funds is not a tenurable appointment. Employment may continue so long as it is mutually agreeable to the faculty member and the immediate supervisor (e.g., Chair, Dean, or Provost).

Probationary Period

Tenure consideration shall occur during the final academic year of the probationary period. This probationary period normally consists of six (6) academic years of continuous full-time service to Murray State University. Leaves taken during this probationary period shall not constitute a break in continuous service, but such service shall not count as time served toward tenure.

The period during which a faculty member may hold a tenurable appointment at Murray State University, exclusive of leaves, shall not exceed seven (7) years. A faculty member normally must serve a minimum of five (5) full academic years to be considered for tenure.

Reduction of the Probationary Period

With the consent of the faculty member, the probationary period may be reduced as follows: The Dean may reduce the probationary period to five (5) or four (4) years (with tenure consideration occurring in the fifth or fourth year) through the granting of prior service credit at this or another accredited institution of higher education. Such reduction shall be made in writing not later than the end of the first year in which the faculty member holds a tenurable appointment.

In consideration of distinguished prior service at another institution, the probationary period may be further reduced to three (3) or two (2) years by the Provost upon recommendation of the Dean. Ordinarily such a reduction will be made for a faculty member who has previously been awarded tenure at another institution. Such reduction shall be made in writing not later than the end of the first year in which the faculty member holds a tenurable appointment.

A faculty member joining Murray State University following distinguished service at another institution may after one academic year of probation be appointed with tenure. Such an appointment will be made only upon recommendation of an absolute majority of the tenured members of the department to which the faculty member will be assigned and with the approval of the Dean. This consideration for recommendation for tenure by the tenured members will be concluded no later than March 15 of the probationary year. This recommendation will be forwarded through the Dean to the Provost and from there to the President and to the Board of Regents for approval. Such an appointment will be made only if the appointee holds tenure at an institution comparable to Murray State University.

Extension of the Probationary Period

Upon request of the probationary faculty member and upon recommendation of the Dean and approval of the Provost, the probationary period and tenurable appointment may be extended by one year if the faculty member experiences an extended life-changing event (of the type described by the Family and Medical Leave Act of 1993 and not otherwise covered in Section 2.14) during that period. The probationary faculty shall in writing inform the Chair, Dean, and Provost of the event within six months of the event's inception and shall at that time request the extension. The Dean shall notify the faculty member and Provost of his recommendation within 15 days of the request. The Provost shall notify the faculty member, the Chair, and the Dean of his/her decision within 30 days of the request. Refusal of the request may be appealed in writing by the faculty member to the President of the university within 30 days of the Provost's notification. The President shall notify the faculty member of his/her decision within 30 days.

Rescission of Prior Reduction

A previously agreed upon reduction of the probationary period may be rescinded upon mutual agreement of the faculty member, the Chair, the Dean and the Provost. Such rescission shall be made in writing at least one year before the tenure process was to have begun.

Annual Evaluation

Each academic year, in conjunction with the annual performance review for all faculty conducted by the Chair and Dean, each probationary faculty member shall receive written evaluations by the Chair and the Dean based on the established criteria for assessing faculty performance. A committee to evaluate the performance of probationary faculty shall be composed of representatives of the tenured faculty of the department. This committee shall provide the Chair with its evaluation of each probationary faculty member. Should the probationary faculty member disagree with any aspect of these annual evaluations, or if the faculty member has been granted an extension, the faculty member shall have the privilege of forwarding a response, which will be attached to the written evaluation. The annual performance reviews are not tenure recommendations even though language may be used to this effect. The performance reviews will be used by the tenure recommending agencies in the year of decision. Favorable annual performance reviews do not mandate positive recommendations for tenure.

The evaluation procedures do not preclude probationary faculty, Chairs or Deans from consulting with tenured faculty in the department or any tenure-recommending agency relative to the criteria for evaluating faculty performance or the needs of the university.

Basis for Awarding Tenure

The tenure decision must be a deliberate and considered action involving both faculty and administrative recommendations. To assure institutional stability and quality, and to facilitate a spirit of professional inquiry, both the capabilities of the individual and the needs of the department, the college, and Murray State University must be evaluated during the tenure consideration process.

Tenure recommendations are guided by the established criteria for evaluating faculty performance and by those factors determining departmental, collegiate, and university needs for quality and development.

Faculty Performance

The following guidelines will assist in the determination and evaluation of significant professional experience, accomplishments and qualifications. Individual colleges and the University Libraries shall formulate and keep current further criteria specific to the professional activities and standards of the academic unit. These more specific guidelines shall be formulated by the faculty of the colleges and the

library. Such criteria shall be no less stringent than the university-wide requirements. Copies of all guidelines shall be on file with the University Tenure Committee and the Provost.

- A. Teaching excellence, as evidenced by an unmistakable demonstration of teaching and advising effectiveness as recognized by students, colleagues, Chairs, and Deans. Teaching effectiveness will be judged by examining instructional delivery skills, instructional design skills, content expertise, and course management through the use of student evaluations and teaching portfolios as well as other evaluative tools.
- B. Evidence of concern for students, including academic advising, and contributions to student development, should be considered. Advising skills will be evaluated by ability to provide accurate and timely information to students on course selection, academic and degree requirements, policies and options, career opportunities, and graduate and professional school.
- C. Research and creative activity, as evidenced by publications, presentations or reports of pure and/or applied research recognized by agencies in the public or private sectors. Empirical research and contributions to scholarly publications are not always the preferred or even feasible methods of contributing to the advancement of every discipline. Criteria concerned with the creative activity of individual disciplines shall, therefore, be set forth in the specific guidelines formulated by the colleges and the library.
- D. University service and professional activities, as evidenced by service to students; attendance, participation in or direction of, conferences, clinics, workshops, and professional societies; professionally-related public service; preparation of institutional grant proposals; active participation in standing and special university committee work; service as an official representative of the university; sponsorship of or adviser to university-approved, extra-curricular activities; and other professional activities, awards, and recognitions.

The above are university-wide criteria and, with the exception of (1), are not in order of priority. Further definition of these criteria shall be developed by the departmental or library tenure committees in consultation with the Chair, Dean, and Provost. However, any recommendation during the tenure consideration process which places emphasis on one or more university wide criteria (or a logical subdivision of university-wide criteria) will not be construed in and of itself to constitute the development of new priorities or further definitions.

Needs of the University

The factors determining departmental, collegiate, and university needs for quality and development are:

- A. Institutional and disciplinary standards (including accreditation standards where applicable);
- B. institutional and collegiate master plan goals and objectives;
- C. breadth of graduate degree preparations;
- D. sufficient flexibility to adapt staffing requirements to changing enrollments and programmatic needs;
and
- E. institutional funding.

Notification and Documentation

When tenure is granted by the Board of Regents, notice of such action will be sent by the Secretary of the Board to the individual, his/her Chair and Dean and the Provost/Vice President for Academic Affairs. Tenure files will be maintained in the Office of the Provost/Vice President for Academic Affairs for ten years or for the duration of the faculty member's employment at the University, whichever is longer.

Any faculty member who is considered for but not recommended for tenure will be notified in writing by the Provost not later than March 31 that a terminal contract shall be offered for one (1) additional year.

Upon receipt of such notice the faculty member may discuss the reasons for the tenure denial with his/her Chair and Dean. In addition, the faculty member has the right to advisement by the Provost as to the reasons for the tenure denial. Such reasons are given solely to assist the Professor in his/her professional growth and development.

Upon receipt of a terminal contract, the faculty member shall be granted access to her or his complete tenure file, including the written recommendations of all reviewing bodies. The faculty member shall also be granted access to those portions of the University Tenure Committee's report pertaining to that faculty member's tenure application.

Appeal for Reconsideration

A faculty member may initiate an appeal to the University Tenure Committee no later than sixty (60) calendar days after receipt of the terminal contract. This appeal shall be a written request for a hearing, setting forth the bases for the appeal together with a statement of facts in support thereof. The bases for an appeal shall be that the decision not to recommend the granting of tenure resulted from improper procedure, or rests on grounds which violate academic freedom or Constitutional rights, or is arbitrary or capricious. Any claim of improper procedure must set forth facts sufficient to indicate that the departure is substantial and played a direct and significant part in the decision. A hearing shall be granted by the University Tenure Committee, if the committee believes that the request for a hearing demonstrates that one or more of the bases for appeal may exist.

If the University Tenure Committee grants a hearing it shall be held within one hundred twenty (120) calendar days of the date of receipt by the faculty member of the terminal contract. In such appeal procedures, the burden of proof is on the faculty member making the appeal.

In the event of a hearing, the appealing faculty member shall be guaranteed due process which shall include, but not be limited to, the right of access to the complete tenure file; the right to appear before the committee; the right to call witnesses in his/her behalf; the right to cross examine other witnesses; and the right to present evidence in his/her behalf with respect to the bases of the appeal.

Following the appeal hearing, the University Tenure Committee shall submit a written report to the President summarizing its findings and making recommendations as it deems appropriate. The President may or may not recommend to the Board of Regents that tenure be granted. The report from the University Tenure Committee shall be made available to the Board of Regents.

CENTERS OF EXCELLENCE AND ENDOWED CHAIRS

The Murray State University Board of Regents pledges its unconditional commitment to the necessary programmatic support and fiscal resources to maintain and enhance Centers of Excellence and Endowed Chairs and Professorships from the Commonwealth.

4.2 SUBJECT: BOARD OF REGENTS TEACHING EXCELLENCE AWARDS

Date Adopted: April 27, 1935
Date Amended: September 12, 2008
Reference: Minute Book: 33 Page: 5

Introduction

The Board of Regents Teaching Excellence Awards have been instituted as an annual effort to honor, in each college, a faculty member who in the judgment of peers deserves recognition as an exemplary teacher. The awards are not intended as a means of identifying the six best teachers at Murray State University but are instead a mechanism for acknowledging and rewarding commitment to teaching.

Each college's Committee on Faculty Development within the University Standing Committee System submits recommendations for the annual selection of the Board of Regents Teaching Excellence Awards to the President of the Faculty Senate, who reviews and forwards those recommendations to the Provost and Vice President for Academic Affairs.

Membership on each Committee on Faculty Development includes one faculty member from each department within the college. In the case of the University Libraries, the Committee consists of four members chosen by the faculty. The Board of Regents recommends that a student be included on the Committee during the selection process.

Upon receipt of the collegiate recommendation and supporting materials and following a review of the selection process, the Provost and Vice President for Academic Affairs forwards the recommended recipients to the Academic Excellence and Scholarly Activities Committee of the Board of Regents, to the Chair of the Board and to the President. Should the Academic Excellence and Scholarly Activities Committee approve the recommended recipients, the name of the recipient from each college is then forwarded to the full Board for approval.

4.3**SUBJECT: FACULTY GRIEVANCE**

Date Adopted: September 6, 1980
Date Amended: September 12, 2008
Reference: Minute Book: 23 Page: 500

Faculty members have the right to present a grievance to the University and have it considered on its merits through an expeditious and orderly process leading to an acceptable resolution. Procedure is set forth in the Faculty Handbook.

4.4 SUBJECT: DEFINITION OF FACULTY

Date Adopted: August 8, 1969
Date Amended: September 12, 2008

Reference: Minute Book: 14 Page: 200

The Faculty of Murray State University shall include the President of the University; and all persons holding appointments made by the Board of Regents who are responsible for, assist in or administer the instructional program. The faculty shall consist of three distinct groups: ranked regular faculty, ranked administrative faculty and special appointment faculty. Contractual rights and responsibilities are defined in the *Faculty Handbook*.

4.5 SUBJECT: ACADEMIC FREEDOM

Date Adopted: October 16, 1958
Date Amended: September 12, 2008

Reference: Minute Book: 8 Page: 45

Faculty members are entitled to full freedom in research and in the publication of the results. Faculty members are entitled to academic freedom in the classroom, but should limit the introduction during class of matters which have no direct relation to the subject matter of the course being taught.

A faculty member is a citizen, a member of a learned profession, a part of the educational institution. When such a professional speaks or writes as a citizen, there should be freedom from institutional censorship or discipline, but this special position in the community imposes special obligations. It should be kept in mind that the public may judge the profession and the institution by such utterances; hence, a faculty member should at all times be accurate, exercise appropriate restraint, show respect for the opinion of others and make every effort when speaking or writing as a citizen to indicate that he/she is not an institutional spokesperson.

4.6 SUBJECT: ACADEMIC PROMOTION AND APPOINTMENT

Date Adopted: October 1, 1977
Date Amended: September 12, 2008

Reference: Minute Book: 21 Page: 135

This promotion policy recognizes the fact that differences exist among faculty members' achievements in the university community and that rank should reflect those achievements. Decisions on promotions are thus to be an individualized process whereby the qualifications and guidelines shall be considered. The primary responsibility for promotion recommendations should rest with the Department Chair and the Dean, after consultation with faculty of the rank to which the applicant aspires or higher (department promotion committee and college promotion committee). Recommendations citing significant professional experience and accomplishments should be accompanied by tangible supporting evidence. The minimum qualifications of experience and education for the various ranks and guidelines for measuring professional achievement are to aid Chairs, Deans, committees, and faculty in their deliberations and recommendations. The qualifications as stated should not, however, be interpreted as an exclusive set of objectives to be met for automatic advancement in rank, or so rigidly applied as to prevent promotion of an individual with outstanding professional experiences and accomplishments, whose recommendations are accompanied by tangible supporting evidence.

Qualifications

The university is guided by appropriate discipline-related accrediting agencies in determining terminal academic degree achievement in each discipline. Where there is no such organization and no nationally accepted norms exist, the decision shall be made by the departmental faculty in consultation with the Dean and Provost. In unusual circumstances, experience and/or scholarly or creative activity may substitute for the doctorate (see Section 2.1.4).

The minimum qualifications normally expected to be met prior to consideration for promotion for specific ranks are as follows:

Instructor

Instructors are full-time ranked faculty who hold significant advanced terminal degree course work. Specifically, they are faculty members who have a documented and approved plan in place to complete the terminal degree and would qualify for the minimum requirements for assistant professor within two years. No individual may hold this rank for more than two years. Instructors are eligible to request prior service credit would they be promoted to the rank of assistant professor.

Education: Significant advanced terminal degree coursework and have a documented and approved plan for completion of the degree within two years.

Experience: None

Assistant Professor

Education: Earned doctorate appropriate to the teaching or professional field or the highest level of academic achievement normally attained in that field

Experience: None

Associate Professor

Education: Earned doctorate appropriate to the teaching or professional field or the highest level of academic achievement normally attained in that field

Experience: Completion of five years of successful, recognized teaching and/or other professional experience in the field

Professor

Education: Earned doctorate appropriate to the teaching or professional field or the highest level of academic achievement normally attained in that field **4.6**

Experience: Completion of ten years of outstanding teaching and/or other professional experience in the field, with recognition of that experience extending beyond the university community

4.7 SUBJECT: FACULTY PREPARATION POLICY

Date Adopted: August 26, 1988
Date Amended: September 12, 2008
Reference: Minute Book: 42 Page: 7

Graduate Faculty

Faculty teaching in graduate programs must demonstrate a high level of competence in the fields of those programs. Faculty teaching graduate-level courses must hold the highest earned degree in their disciplines, although in some cases experience and/or scholarly or creative activity may substitute for the doctorate. In all such cases it is the responsibility of the college to keep on file documentation of work experience, certification, and other qualifications if these are to substitute for or supplement formal academic preparation.

Undergraduate Faculty

All full-time and part-time faculty (including adjuncts) teaching courses at the undergraduate level in each of the following areas: humanities and fine arts; social and behavioral sciences; natural sciences and mathematics; education; business administration, must have completed at least 18 graduate credits and must hold a master's degree.

Graduate Teaching Assistants

All graduate teaching/laboratory assistants must be under the direct supervision of a faculty member experienced in the teaching field, receive regular in-service training, and be regularly evaluated. Graduate teaching assistants who have primary responsibility for teaching a course for credit including assigning final grades for such a course must have earned at least eighteen graduate semester hours in their teaching field.