

# Summary

# Summary of Adopted Revisions to Annual Evaluation and Post-Tenure Review Policy (FSH-24-25-9)

Faculty Senate Executive Committee | April 22, 2025

See the full text of all revisions and executive committee vote history below.

## **A: Consent to Previous Revisions**

Approved all style and formatting changes made to previous draft, including deletion of redundant language in 2.5. Ensures transparency and clarity.

## **B: Exempt Post-Tenure Review from Faculty Grievance Procedure**

Clarified that post-tenure review, like tenure and promotion processes, is not subject to grievance procedures due to its built-in due process protections.

## **C: Clarify “Disciplinary Standards” in 2.5e**

Clarified that "disciplinary standards" refer to academic norms, not sanctions. Strengthens protections for academic freedom.

## **D: Remove Dual Service Restriction on TFRC and UTC**

Allows faculty to serve on both TFRC and UTC with recusal in conflict cases. Increases participation options for small departments.

## **E: Allow TFRC Review of “Meets Standards” Evaluations**

Allows TFRC to receive and review “meets standards” evaluations to enhance transparency and maintain consistent departmental criteria.

## **F: Ensure Compatibility with Evaluation of Probationary Faculty**

Aligns 2.5 with 2.7.5.3 to avoid duplication in probationary faculty evaluations. Clarifies review workflow for chairs.

## **G: Clarify Distinction Between Annual and Tenure/Promotion Standards**

Ensures that annual evaluations use appropriate, role-specific criteria and not promotion or tenure benchmarks.

## **H1: Make Brief Reviews More Flexible**

Adopted in place of H (Making brief reviews optional). Retains required brief annual reviews but allows flexible formats when no concerns are present to reduce chair workload.

## **I: Remove Reference to Tenure Standards in Salary Policy**

Updated outdated salary policy references to align with the new annual evaluation framework, protecting faculty from any reference to tenure standards as ongoing performance benchmarks.

**J: Limit Repeated Intensive Development**

Introduces additional review if faculty complete two intensive development plans or fail one. Includes structured criteria and preserves due process.

**K: Align Intensive Development Within Evaluation Cycles**

Clarifies timing and relationship of intensive development to annual evaluation cycle. Prevents overlap and ensures fair reentry into regular review.

**L: Assign All Tenured Faculty to TFRC**

Redefines the TFRC as composed of all tenured faculty in a department, ensuring shared responsibility in cases that may lead to sanctions or dismissal, while also allowing a TFRC subcommittee to complete routine tasks.

**M: Extend TFRC Deadlines**

Adjusts evaluation deadlines to allow time for full TFRC deliberation, which is especially important for larger departments.

# Executive Committee Open Drafting Session Agenda

Tuesday, April 22, 2025 | 3:30-5:00 pm

Wells Hall 118

Public Access Zoom link: <https://murraystate.zoom.us/j/83844364068>

- I. Call to Order/Welcome
- II. Discussion of Stakeholder Feedback on FSH-24-25-9
  - A. Reports on FSH-24-25-9
    - 1. Faculty Regent – Melony Shemberger
    - 2. Academic Policies – Chair, Brian Bourke
    - 3. Finance – Chair, Brenda Reeves
    - 4. Governmental Affairs – Secretary of Senate, Michael Bordieri
    - 5. Handbook and Personnel – Chair, Michael Busby
    - 6. Rules, Elections, and Bylaws – Vice President, Heidi Ortega
    - 7. Executive Committee Member Feedback
  - B. Listening Sessions
  - C. Anonymous Feedback Form
  - D. Meetings and Direct Engagement
    - 1. Council of Chairs
    - 2. University Tenure Committee
    - 3. Colleges and Departments
  - E. Open Comment Period
    - 1. Senator Remarks
    - 2. Guest Remarks
- III. Revisions to FSH-24-25-9 for Decision
  - A. Vote: Consent to Previous Revisions
  - B. Vote: Exempt Post-Tenure Review from Faculty Grievance Procedure
  - C. Vote: Clarify “Disciplinary Standards” in 2.5e
  - D. Vote: Remove Dual Service Restriction on TFRC and UTC
  - E. Vote: Allow TFRC Review of “Meets Standards” Evaluations
  - F. Vote: Ensure Compatibility with Annual Evaluation of Probationary Faculty
  - G. Vote: Clarify Distinction Between Annual Evaluation and Tenure/Promotion Standards
  - H. Vote: Make Brief Reviews of Tenured Faculty Optional
    - 1. or Vote: Make Brief Reviews of Tenured Faculty More Flexible
  - I. Vote: Remove Reference to Tenure Standards in Salary Policy
  - J. Vote: Limit Repeated Intensive Development
  - K. Vote: Align Intensive Development within Regular Evaluation Cycles
  - L. Vote: Assign All Tenured Faculty Members to the Departmental TFRC
  - M. Vote: Extend TFRC Deadlines
- IV. Additional Revisions to FSH-24-25-9 by the Executive Committee
- V. Plan for Additional Stakeholder Engagement
- VI. Adjourn

## Anonymous Feedback Form Summary

Twenty responses were received since the form was launched in April 2024, with several themes emerging across seven responses to the current policy draft:

- Research Expectations
  - Faculty expressed concern that research expectations do not align with the mission of a teaching-focused institution.
  - “We are a teaching-oriented university... research expectations should be as realistic and organic as possible.”
- Overcomplexity and Legalistic Tone
  - The policy is frequently described as dense, overly bureaucratic, and difficult to navigate.
  - “Even seasoned professionals would need a flowchart to keep track... it reads more like a litigation safeguard than a development framework.”
- Fairness and Departmental Politics
  - Respondents worried that politics or favoritism in departments could undermine fair implementation.
  - “There would not be any fairness in any evaluation... this allows more unnecessary politics and favoritism.”
- Chair Workload and Review Frequency
  - There is concern that annual review requirements overburden department chairs and exceed legal mandates.
  - “The law only requires [a review] once every four years... chairs already get crushed with work.”

## Revisions to FSH-24-25-9 for Decision (additions in bold, deletions in strikethrough)

- A: Consent to Previous Revisions
  - Concern: The chair mistakenly made a substantive edit to the policy when otherwise making formatting and style edits after the 3/25 executive committee meeting and before sharing the draft with the senate. For transparency, all the edits made can be reviewed [here](#). I am flagging the accidental substantive edit here for executive committee review.
  - Origin: Executive Committee chair review.
    - Revision. Approve all formatting/style edits and the deletion of the following sentence in 2.5 ~~“While performance standards may vary by faculty rank or classification, departments must ensure that all faculty are evaluated with respect to their continued professional engagement and competence in assigned responsibilities.”~~
  - Rationale: Other policy language combined with dean review and approval of annual evaluations standards already provide sufficient protection against this concern, and the section is overly wordy as is.
  - Motion: Pizzo Seconded: Bourke
  - Vote. Yes: 9 No: 0 Abstain:

- B: Exempt Post-Tenure Review from Faculty Grievance Procedure

- Concern: 2.17 Faculty Grievance procedure exempts other faculty review processes that have due process protections and appeal processes built into them.
- Origin: Cross-reference check by Executive Committee chair
  - Revise. 2.17.3 Limitations to read “This Faculty Grievance Procedure is not designed to include questions that may arise concerning the following: leave and promotion (Section 2.6); non-reappointment (Section 2.8.4); tenure denial (Section 2.7); dismissal (Section 2.8.5); salary, other than a violation of the university's Salary Policy (Section 2.16.1); or acts covered in the Equal Opportunity Statement (Section 2.3.1) or the Equal Opportunity Grievance Procedure (Section 2.18);, **or post-tenure review (Section 2.19).**”
- Rationale. The post-tenure review policy has extensive due-process protections built into it and it would not be appropriate to substitute or bypass those processes using 2.17.
- Motion: Pizzo Seconded: Sahawneh
- **Vote. Yes: 9 No:0 Abstain:**

- C: Clarify “Disciplinary Standards” in 2.5e

- Concern: The term “disciplinary standards” in Annual Evaluation 2.5e could be misinterpreted as referring to disciplinary action or sanctions rather than to academic disciplinary norms.
- Origin: Informal feedback to executive committee chair.
  - Revise 2.5e Annual Evaluation to read: “Consistent with the university’s commitment to academic freedom (2.9.1) and intellectual freedom and viewpoint diversity, faculty are entitled to pursue lines of inquiry, scholarly expression, and public or community engagement that reflect a range of disciplinary approaches and academic traditions. Evaluation of faculty performance shall be based on established professional and disciplinary standards and not on agreement with the content, viewpoint, or perceived popularity or acceptability of their academic work. Student, public, or external complaints related solely to the content, viewpoint, or subject matter of a faculty member’s research, teaching, or public engagement shall not, by themselves, constitute grounds for negative evaluation. Any concerns of this nature shall be assessed in the context of **disciplinary standards** ~~standards~~ **established scholarly and professional standards within the academic discipline** and shall not be used to penalize scholarly expression.”

- Rationale: Language clarification to prevent a misinterpretation in a high-stakes policy area.
- Motion: Pizzo Seconded: Sahawneh
- **Vote. Yes: 9 No: 0 Abstain:0**

## ● D: Remove Dual Service Restriction on TFRC and UTC

- Concern: The restriction on simultaneous service on both a TFRC and the UTC may limit opportunities for tenured faculty from small departments/units to serve on the University Tenure and Post-Tenure Review Committee (UTC).
- Origin: UTC consultation.
  - Revise 2.19.1 Establishing the Department/Unit Tenured Faculty Review Committee (TFRC) to remove the following and re-letter accordingly **~~“e- No member of the TFRC may also serve on the University Tenure Committee (UTC).”~~**
  - Revise 1.5.3.2 University Tenure and Post-Tenure Review Committee (UTC) to add the following sentence to the membership section. **“A member of the UTC shall recuse themselves and not participate in the review of any post-tenure review case where a conflict of interest exists, including their own or any case in which they served as an evaluator.”**
- Rationale: This change removes a structural barrier to participation that may disproportionately affect faculty from small departments, while preserving and strengthening procedural safeguards against conflicts of interest in UTC decision-making. A recusal mechanism ensures fairness and transparency without unnecessarily limiting committee service.
- Motion Pizzo: Seconded: Foote
- **Vote. Yes: 9 No:0 Abstain:**

## ● E: Allow TFRC Review of “Meets Standards” Evaluations

- Concern: TFRC only sees “does not meet standards” evaluations.
- Origin: Department/college feedback.
  - Revise 2.19.2.2a Comprehensive Review (Year Four) to read: “Faculty receiving a performance assessment of “meets standards” in each applicable domain by the department chair/unit head will return to the first year of the four-year assessment cycle, **with a copy of the department chair/unit head written evaluation and faculty’s review materials forwarded by the department chair/unit head to the chair of the department TFRC.**”
- Rationale: Having the TFRC review evaluation materials and the chair report of faculty who “meet standards” ensures that they maintain a balanced understanding of the evaluation criteria. This procedural revision also strengthens accountability and transparency in chair evaluations and could prompt

departmental discussions and review of evaluation criteria in cases where the TFRC disagrees with a “meets standards” evaluation by the chair.

- Motion: Sahawneh Seconded: Pizzo
- **Vote. Yes: 9 No:0 Abstain:**

- **F: Ensure Compatibility with Annual Evaluation of Probationary Faculty**

- Concern: Revisions to 2.5 Annual Evaluation Policy could create interpretive ambiguity in the context of 2.7.5.3 Annual Evaluation of Probationary Faculty and generate extra workload in the evaluation of probationary faculty.
- Origin: Listening session feedback.
  - Revise 2.5 Annual Evaluation Policy to read: “For probationary faculty (2.2.2), these evaluations ~~should be conducted in conjunction with~~ **may also fulfill** the **chair’s** annual evaluation specified in 2.7.3.4 and will be considered in contract renewal within the non-reappointment policy (2.8.4).”
  - Revise 2.7.5.3 Annual Evaluation to read as follows: “Each academic year, in conjunction with the annual performance review for all faculty conducted by the departmental Chair ~~and Dean~~ (see Section ~~2.16.4 Salary Policy~~ **2.5 Annual Evaluation Policy**), each probationary faculty member shall receive written evaluations by Departmental Tenure Committee (see section 2.7.5.1), the Chair, and the Dean based on the established criteria for assessing faculty performance. **For the Chair’s evaluation, a single written review may fulfill both the annual evaluation requirement (2.5) and this probationary period evaluation, provided that it addresses all relevant criteria.**”
- Rationale: This revision gives explicit permission for the annual evaluation of probationary faculty conducted under 2.5 to also fulfill the chair written evaluation requirement of 2.7.3.4. It also cleans up a reference to outdated procedures in the evaluation of probationary faculty.
- Motion: Bourke Seconded: Reeves
- **Vote. Yes: 9 No: 0 Abstain:**

- **G: Clarify Distinction Between Annual Evaluation and Tenure/Promotion Standards**

- Concern: Revisions to 2.5 Annual Evaluation regarding annual evaluations standards being distinct from tenure and promotions standards could create interpretive ambiguity.
- Origin: Listening session feedback.
  - Revise 2.5b Annual Evaluation to read: “The standard for annual evaluation shall be “whether the faculty member under review discharges conscientiously and with professional competence the duties



appropriately associated with their position” (AAUP, 1999). **Annual evaluations must be based on expectations appropriate to a faculty member’s current role and responsibilities and shall not apply the heightened, cumulative standards used in formal milestone decisions such as tenure (2.7.4-2.76) or promotion (2.6). However, for probationary faculty, departments/units may additionally consider cumulative progress toward tenure as part of the annual evaluation process, consistent with departmental guidelines and university criteria.”**

- **Revise 2.5d Annual Evaluation to read: “~~Criteria for the award of tenure or promotion shall not serve as the standards for annual evaluation of satisfactory performance.~~ Evaluation standards for research and creative activity should encompass a range of professional activities that demonstrate ongoing scholarly or creative engagement and should not rely solely on the types of products typically expected for tenure or promotion (e.g., peer-reviewed publications, books, juried exhibits).~~For probationary and promotion-eligible faculty, departments/units may consider cumulative progress toward tenure or promotion as part of the annual evaluation process, consistent with departmental guidelines and university criteria.~~”**
- Rationale: This revision clarifies how annual evaluation standards are distinct from the formal promotion and tenure process. In doing so, it allows departments to evaluate faculty across the full range of responsibilities, while also recognizing that tenure and promotion are distinct, milestone-based decisions—not ongoing performance benchmarks. The revision also moves all languages to that effect to 2.5b, allowing 2.5d to focus specifically on research and creative activity. It also supports fairness by removing reference to cumulative progress towards promotion in annual evaluations. This ensures that associate professors and instructors are evaluated based on their present roles rather than inferred promotion readiness. Care regarding promotion readiness is especially important under HB 424, where cautionary commentary on promotion potential in annual evaluations could be misconstrued as a failure to meet performance standards in the current role.
- Motion: Pizzo Seconded: Bourke
- **Vote. Yes: 9 No: 0 Abstain:**

## ● H: Make Brief Reviews of Tenured Faculty Optional

- Concern: Brief (Years 1-3) annual reviews of tenured faculty are resource intensive and are not mandated by HB 424.
- Origin: University Council of Chairs and department/college feedback.
  - Revise all of FSH-24-25-9 to reflect this change. Substantive revisions included below, with all revisions made to accomplish the change available to review [here](#).
  - Revise 2.5: **Annual-Faculty** Evaluation Policy.

Each department/unit shall establish written performance standards for the **annual** review of faculty in all assigned areas of responsibility, to include teaching, research and creative activity, and university service and professional activities, as applicable. These performance standards may be based on existing department/unit evaluation standards, may differ for faculty of different ranks or classifications, **and may vary based on the type of faculty review (e.g. annual or four-year).** . .

**Tenured regular faculty (2.1.1.2) and tenured administrative faculty (2.1.1.2) shall be evaluated at least once every four years. All other faculty, including probationary faculty (2.2.2) and special appointment faculty (2.1.2), shall be evaluated annually. These evaluations serve as the regular performance and productivity evaluations mandated by KRS 164.360.**

- **Revise 2.19.2 ~~Annual~~ Evaluation Process for Tenured Faculty**

The tenured faculty review process will consist of ~~annual reviews over~~ a four-year recurring cycle of assessment with all reviews conducted in accordance with the **annual faculty** evaluation policy (2.5). Years One, Two, and Three **are optional and** may be brief and formative in nature, while the Year Four review **is required and** shall ~~be more in-depth and~~ provide a comprehensive evaluation of tenured faculty performance across the four-year cycle. Departments/units and colleges may adopt additional ~~brief and comprehensive~~ evaluation procedures and requirements as long as they conform to the minimum requirements specified in this section and the **annual faculty** evaluation policy (2.5). . .

- **Revise. 2.19.2.1 ~~Optional~~ Brief Reviews (Year One, Year Two, and Year Three ~~Reviews~~)**

During the spring semester, but no later than MAY 15, department chairs/unit heads ~~will~~ **may** provide each tenured faculty member with a brief written **annual** review of their performance over the past calendar year with a copy to the Dean. **If performance concerns are noted,** department chairs/unit heads should **provide a written review and also** ~~hold a meeting with any tenured~~ **meet with the** faculty member ~~for whom performance concerns were documented~~ to discuss the concerns and **identify** opportunities for improvement. **Department chairs/unit heads shall provide both a written review and a meeting for any faculty member in departmental development (2.19.2.3).** Departments/units may require faculty to submit materials documenting their performance and productivity for the purpose of these brief reviews.

- Rationale: Annual reviews of tenured faculty are not mandated by HB 424. While Murray State maintains a longstanding tradition of annual evaluation, the additional workload introduced by the new post-tenure review system will significantly strain both administrative and faculty resources. Making the brief Year 1–3 reviews optional helps reduce this burden on department chairs, while still preserving key safeguards: brief reviews remain required for faculty in departmental development, and any tenured faculty member may request a written review in any year of the cycle to ensure fairness, access to feedback, and developmental support.
- Motion to postpone indefinitely passed with 9 Yes and 0 No votes.

## ● H1: Make Brief Reviews of Tenured Faculty More Flexible

- Concern: Brief (Years 1-3) annual reviews of tenured faculty are resource intensive. While not mandated by HB 424, they still serve as important feedback mechanisms and reduce the stakes of the year four review.
- Origin: University Council of Chairs, department/college, and executive committee feedback.
  - Revise: 2.19.2.1 Brief Review (Year One, Year Two, and Year Three Reviews)  
 During the spring semester, but no later than MAY 15, department chairs/unit heads will provide each tenured faculty member with a brief written annual review of their performance over the past calendar year with a copy to the Dean. **The format of these reviews is at the discretion of the department chair/unit head in consultation with the Dean, and may include, but is not limited to, an informal conversation, a short formative summary, or a department/college-developed checklist or instrument. If no performance concerns are noted, a single-sentence statement to that effect may fulfill the review requirement, provided the chair has reviewed appropriate indicators of faculty activity. If performance concerns are noted, department chairs/unit heads should provide a written review and ~~also hold a meeting with any tenured~~ meet with the faculty member ~~for whom performance concerns were documented~~ to discuss the concerns and identify opportunities for improvement. Departments/units may require faculty to submit materials documenting their performance and productivity for the purpose of these brief reviews.**
  - Revise: 2.5 Annual Evaluation Policy  
 Administrative faculty (2.1.1.2) other than the president shall be evaluated **annually** by their immediate supervisor (**see 1.3.5.3 Review of Deans and 1.3.6.12 Review of Department Chairs**). These evaluations should include consideration of administrative duties and, when systematically

collected and appropriate, feedback from faculty stakeholders. If an administrative faculty member maintains a teaching load their teaching effectiveness shall be evaluated using the same standards as faculty in their respective department/unit. All other faculty evaluations are conducted by the department chair/unit head and shared each year with the individual faculty member being evaluated. **These annual evaluations serve as the regular performance and productivity evaluations mandated by KRS 164.360.** These evaluations will also become part of the documentation that will support recommendations for promotion or tenure.

- Rationale: Annual reviews of tenured faculty are not required under HB 424, but brief Year 1–3 reviews offer valuable opportunities for formative feedback and early identification of concerns. This revision maintains the annual review structure while introducing greater flexibility in format to reduce administrative burden.
- Motion: Pizzo Seconded: Foote
- **Vote. Yes: 9 No: 0 Abstain:**

## ● I: Remove Reference to Tenure Standards in Salary Policy

- Concern: The Salary policy 2.16.1 is significantly outdated. While a full revision is outside the scope of this policy proposal, the section's reference to tenure standards as basis for ongoing performance standards directly contradicts this policy's revisions to the faculty evaluation process.
- Origin: Cross-reference check by Executive Committee chair
  - Revise 2.16.1 Salary Policy to read:  
Salary levels for faculty and professional staff should equal or exceed benchmark salaries for universities of similar type and size in Kentucky, the surrounding states, and where appropriate beyond the mid- America region. When average salaries do not equal benchmark levels, budgetary priorities should be established to achieve that end. In preparing its biennial budget request, the university will seek salary funding at least equal to the increase in the annual cost of living as determined by the Consumer Price Index and additional funds necessary to reach benchmark and institutional allocations for salaries will reflect this priority.

The Finance Committee of the Board of Regents annually will review a base salary increment to be awarded each faculty and professional staff member adjudged to be performing his/her responsibilities at a satisfactory level according to the faculty performance criteria as established in ~~2.7.4.1 of the Tenure Policy~~ **2.5 Annual Evaluation Policy**. The base salary increment shall not be less than 75% of the total annual salary increment derived from funds appropriated by the Kentucky General Assembly and internal reallocation. In making this determination,

the Budget Committee will receive recommendations from the Faculty Senate and other university groups.

A salary recommendation less than the base increment figure shall be justified in writing by the Chair and Dean, and the faculty member notified of the reason(s) for such recommendations.

A salary increment substantially above the base salary figure (see Annual Budget Preparation Guidelines) will be based upon the following factors: promotions, meritorious performance (see Section ~~2.7.4.4~~ 2.5), extraordinary service to the university, market conditions, and for the purpose of correcting salary inequities. The criteria for performance for professional staff should be based upon fulfillment of institutional and unit objectives. The specific criteria and procedures to be employed in each college or administrative unit shall be communicated in writing to faculty and professional staff in that college or unit.

If sufficient funds, as identified in the budget guidelines, are not available to grant average faculty raises of three percent (3%), all faculty and professional staff accomplishments will be carried forward until such funding is available for evaluation and reward.

The Board of Regents will receive salary recommendations for the faculty and staff from the President, review and determine such salaries, and include such determination in the university budget.

- Rationale: This revision removes outdated and contradictory language referencing tenure standards in salary determinations, in order to align with the revised annual evaluation and new post-tenure review policy. Importantly, this revision eliminates any implication that tenure standards serve as ongoing performance benchmarks, which is a critical clarification to protect faculty under HB 424. While elements of 2.16.1 (e.g., merit pay) no longer reflect current practice, a comprehensive rewrite of the salary policy would exceed the scope of the current proposal and could introduce a procedural objection if revised.
- Motion: Pizzo Seconded: Sahawneh
- **Vote. Yes: 9 No: 0 Abstain:**

## ● J: Limit Repeated Intensive Development

- Concern: There is currently no limit on remediation and the extended duration of evaluation cycles and development plans could allow for faculty with persistent performance concerns to continue indefinitely in some circumstances. Context: ECU policy states: "The post-tenure review process [intensive development] may be used no more than twice for the same faculty member."
- Origin: Executive Committee chair review of peer-policy.

- Add **2.19.3.1.6 Repeated Intensive Development Review:**
- **A faculty member who has either (a) previously completed two or more intensive development plans, or (b) failed to meet all objectives in a prior intensive development plan, shall undergo additional review to determine the most appropriate institutional response. In such cases, the department chair/unit head shall notify the faculty member in writing, as part of the notification of intent to activate intensive development (see 2.19.3.1.1), that their prior intensive development history will be considered. The activation review shall include the standard determination of whether intensive development should be activated and shall also include consideration of immediate sanctions in lieu of further remediation, using the following additional criteria:**
  - **Whether the current performance concerns are recurring within the same domain(s) previously addressed or represent new concerns;**
  - **Whether the faculty member engaged meaningfully with prior development efforts, as evidenced by responsiveness to institutional support and achievement of prior development plan objectives;**
  - **Whether the faculty member demonstrated sustained improvement following previous development efforts, and the amount of time that has elapsed since those efforts;**
  - **Whether further development is likely to result in sustained improvement, or whether sanctions, including possible dismissal for failure to meet performance and productivity requirements, represent a more appropriate institutional response;**
  - **If applicable, recommend sanction(s) and justification.**

**These criteria shall be explicitly addressed in the written determinations of the department chair/unit head, the University Tenure and Post-Tenure Review Committee (UTC), the Dean, and the Provost as part of the activation review procedure outlined in 2.19.3.1.3-2.19.3.1.5. If all four parties concur that immediate sanctions are appropriate and that the specific sanctions recommended are justified, the sanctions shall be applied in accordance with 2.19.3.3.3. In such cases, the faculty member retains the right to appeal under Section 2.19.3.5. The timeline for the appeal process shall follow the same procedures but with all deadlines shifted seven months earlier, since sanctions are issued by October 15 instead of by May 15. In addition, the faculty member's post-tenure review cycle shall reset to Year One, and their performance shall be reviewed under the regular evaluation cycle as**

**described in 2.19.2. This cycle reset does not apply in cases where the sanction imposed is dismissal for cause (2.8.6), as such proceedings supersede the evaluation cycle.**

- Rationale. To provide a mechanism to consider whether additional intensive development is appropriate for a faculty member with a history of any failed intensive development plans or two or more successfully completed plans. This review process offers significantly more flexibility than the ECU policy by allowing for consideration of relevant factors and ensuring that any sanctions action includes faculty review (i.e. UTC). Including this provision proactively ensures the policy remains structural rather than personal when it becomes applicable in future years.
- Motion: Pizzo Seconded: Boruke
- **Vote. Yes: 9 No: 0 Abstain:**

- **K: Align Intensive Development within Regular Evaluation Cycles**

- Concern: The current policy does not specify how the post-tenure review evaluation cycle (2.19.2) interacts with the Intensive Development process (2.19.3). This ambiguity creates several structural risks: (1) comprehensive reviews may be duplicated with intensive development plan reviews, (2) it is unclear whether the activation criteria for intensive development based on two consecutive “does not meet standards” evaluations resets following successful or unsuccessful completion of intensive development, (3) it is unclear whether successful plan completion is equivalent to meeting standards in a comprehensive evaluation, (4) there is no structured path for restoring standing after improvement following sanctions, and (5) the policy could be interpreted as out of compliance with KRS 164.360 (HB 424) in some extended intensive development applications.
- Origin: Department/college feedback and executive committee chair review of policy logic and routing.
  - **Revise 2.19.3 Intensive Development**  
Intensive development is intended to be a more formal professional development mechanism to address tenured faculty performance concerns after other attempts, including the annual evaluation process, have not resulted in sufficient improvement. **If activated, the faculty member’s post-tenure review evaluation cycle resets to Year One as the year intensive development is activated (see 2.19.2), providing up to a four-year window for remediation, regular evaluation, and reintegration with the standard faculty evaluation process. The annual intensive development plan reviews conducted during**

**intensive development fulfill the university's obligation to conduct regular performance and productivity evaluations under KRS 164.360.**

The intensive development ~~process does not become~~ **shall not be** activated ~~until~~ **unless** at least one of the following conditions applies:

- a. Refusal to participate in the annual evaluation process as described in 2.19.2 (Annual Evaluation Process for Tenured Faculty).
- b. Two ratings of "insufficient progress" by the department chair/unit head within an evaluation cycle with concurrence by the TFRC for the second instance for faculty in departmental development (see 2.19.2.3).
- c. A performance assessment of "does not meet standards" in the same domain in two consecutive comprehensive (Year 4) evaluations by the department chair/unit head with concurrence by the TFRC and the Dean (see 2.19.2.2.4). **Evaluations shall be considered as consecutive unless separated by (1) a comprehensive (Year 4) evaluation in which the faculty member receives a "meets standard" rating by at least one evaluator in the applicable domain(s) or 2) an intensive development process that concludes unsuccessfully in either formal sanctions (see 2.19.3.4) or a mutually agreed-upon solution (see 2.19.3.3c).**
- d. A recommendation from the department chair/unit head, University Tenure Committee (UTC), the Dean, and the Provost to activate the process in lieu of immediate dismissal for cause.

- **Add 2.19.3.3.5 Interaction with Comprehensive Post-Tenure Review**  
**All faculty in intensive development will remain on the post-tenure review cycle established by the year of intensive development activation, with the next comprehensive review occurring in the spring following the fourth year of that cycle.**

**a. If the review of an intensive development plan after its third and final year coincides with the faculty member's scheduled comprehensive review, all comprehensive review deadlines in 2.19.2.2.2 shall be extended by 30 days to allow the department chair/unit head and TFRC to complete their evaluations of the intensive development plan first (see 2.19.3.3.1).**

**b. If the faculty member successfully completes an intensive development plan during the review cycle, the comprehensive review shall proceed in full for all domains, including the domain(s) addressed in the plan. The comprehensive evaluation may consider the plan outcomes as part of the evidence in the relevant domain(s)**



but shall include an independent evaluation based on submitted materials and the applicable department/unit standards (see 2.5). Because intensive development plans are required to establish outcome objectives aligned with department/unit standards (see 2.19.3.2.1), successful completion of an intensive development plan should indicate demonstrated ability to meet standards in the comprehensive review. A “does not meet standards” rating in the same domain following successful plan completion should therefore be rare, and must be supported by clear evidence that the faculty member failed to sustain the trajectory of improvement established during the plan or that new performance concerns emerged since its completion. In such instances, the review shall be considered a consecutive evaluation for purposes of determining future intensive development activation, if the criteria outlined in 2.19.3(c) are met.

c. If the faculty member does not successfully complete the intensive development plan during the review cycle, the comprehensive review shall proceed as a partial review. Domains not addressed in the intensive development plan shall be reviewed following the standard process. For any domain(s) addressed in the plan, the comprehensive review shall refer to the documented outcome of the development process in lieu of a separate evaluation using the notation: “*See intensive development record for evaluation in [domain].*” A partial comprehensive review conducted in accordance with this section shall be considered a comprehensive (Year Four) evaluation for purposes of determining performance patterns and future activation of intensive development activation in any domain not addressed by the intensive development plan (see 2.19.3c)

- **Revise 2.19.2.2.2 Comprehensive Review (Year Four)**  
**Faculty who were in intensive development during the review cycle may be subject to adjusted review timelines or modified evaluation procedures. See 2.19.3.3.5 (Intensive Development Interaction with Comprehensive Post-Tenure Review) for details.**
- **Revise 2.19.3.2.1 The Intensive Development Plan**  
**2. Define specific outcome objectives to remedy the concerns that are reasonable, measurable, and, if achieved, would demonstrate performance at or above department/unit standards in the identified domain(s) (see 2.5);**
- **Revise 2.19.3.3 Assessment of the Intensive Development Plan and Sanctions Procedures)**

**1. By February 1 the faculty member shall submit an annual progress report summarizing intensive development plan activities, milestones, and outcome objectives with supporting documentation, unless otherwise specified in the intensive development plan.**

1a. If the department chair/unit head concurs with a TFRC finding that all intensive development plan goals have been met they will indicate so in writing to the faculty member, department/unit TFRC, UTC, Dean, and Provost, the intensive development process will successfully conclude, and the faculty member will ~~resume~~ continue the ~~normal annual~~ review cycle as provided in ~~the Annual Evaluation Process for Tenured~~

**Faculty (2.19.2). 2.19.3.3.5. The successful completion of the intensive development plan will be considered in the next comprehensive review (see 2.19.3.3.5), but does not independently determine performance ratings in the remediated domain(s) or reset the count of consecutive comprehensive evaluations (see 2.19.3c).**

1c. If the department chair/unit head concurs with a TFRC finding that the faculty member has made insufficient progress or not satisfactorily met all intensive development plan objectives they shall notify the faculty member, TFRC, UTC, Dean, and Provost and will schedule a conference with the faculty member by MARCH 1. The purpose of this conference shall be to discuss and explore mutually agreeable solutions to the ongoing performance deficiencies, including, but not limited to reassignment to other duties or voluntary separation. The faculty member may invite their selected temporary member of the UTC (if applicable) to attend the conference, and if mutually agreeable to the department chair/unit head and faculty member, the chair of the department/unit TFRC, the chair of the UTC or their designee, the Dean, and/or the Provost may also attend. If a mutually agreeable solution is reached, formalized in writing, and approved by the Provost by MARCH 15 the intensive development process will conclude with any solutions going into effect on JULY 1 unless otherwise agreed to by the parties. If an agreement is not reached and approved by the Provost by MARCH 15 the department chair/unit head shall recommend and provide written justification for sanctions to the faculty member by APRIL 1. The faculty may respond in writing by APRIL 15. The department chair/unit head will forward their report and sanctions recommendation, the TFRC report, any written response by the faculty member (when available), and all supporting materials to the UTC, Dean, and Provost.

**In all cases where the intensive development plan concludes unsuccessfully, whether through formal sanctions or a mutually agreed-upon solution, the faculty member will continue the review cycle as provided in 2.19.3.3.5. Sanctions originated or mutually agreeable solution finalized under this section shall be considered**

an unsuccessful completion of the intensive development plan for purposes of completing a partial comprehensive review (see 2.19.3.3.5), resetting the count of consecutive comprehensive evaluations (see 2.19.3c), and determining eligibility to petition for the removal or modification of continuing consequences resulting from sanctions or mutually agreeable solutions (see 2.19.3.4).

■ **Revise 2.19.3.4 Sanctions**

Sanctions may be imposed only following a faculty member's refusal to engage in or unsuccessful completion of an intensive development plan, as determined through the review and recommendation process described in 2.19.3.3. Sanctions shall be proportionate to the severity and persistence of the documented performance concerns and consistent with the faculty member's participation in and response to the development process. With the exception of dismissal for cause (2.8.6), sanctions shall not be permanent by default. The continued application of any sanction beyond ~~one the first full~~ evaluation cycle ~~(typically four years)~~ after ~~sanctions were imposed~~ shall be subject to review as part of the faculty member's ~~next~~ comprehensive post-tenure evaluations. ~~Upon satisfactory performance sanctions may be lifted or modified in consultation with the department chair/unit head, Dean, and Provost.~~ A faculty member who receives a "meets standards" rating in the domain(s) addressed in an unsuccessfully completed intensive development plan as part of a subsequent comprehensive post-tenure review may petition to have any continuing consequences lifted or modified. This includes continuing consequences imposed through either formal sanctions (2.19.3.4) or mutually agreeable solutions (2.19.3.3c). The petition shall be reviewed by the department chair/unit head, University Tenure and Post-Tenure Review Committee (UTC), and Dean, with a final decision made by the Provost within 60 days of petition. The outcome shall be documented in the faculty member's intensive development file with a written rationale explaining the decision. If the petition is denied, the faculty member may submit a written response for inclusion in the intensive development file and may re-petition in a future cycle, if applicable. Partial comprehensive reviews conducted under 2.19.3.3.5 do not fulfill the requirement for petition eligibility, as they do not include an independent evaluation of the relevant domain(s). Restoration of rank or compensation shall follow university policies and procedures applicable to those personnel actions.

- Rationale: These additions clarify how Intensive Development interacts with the post-tenure review cycle to ensure consistency, fairness, and legal compliance.

Resetting the post-tenure review evaluation cycle to Year One at the time of intensive development activation eliminates the risk of overlapping evaluation processes and provides faculty a defined, four-year window for remediation and professional growth. Performance patterns do not reset following completion of intensive development unless the process concludes in formal sanctions (2.19.3.4) or a mutually agreed-upon solution (2.19.3.3c), both of which function as an institutional resolution. In cases where the final year of Intensive Development coincides with the Year 4 comprehensive evaluation, deadlines for the comprehensive evaluation may be extended by up to 30 days to accommodate completion of the intensive development plan review by the chair and TFRC. The comprehensive evaluation does not consider domains where a faculty member unsuccessfully completes the intensive development plan to avoid duplicate evaluations and double jeopardy. A formal petition process now allows faculty to seek sanction removal after receiving a “meets standards” rating in the affected domain(s), with structured review and documentation. These clarifications ensure that all faculty receive regular performance evaluations consistent with HB 424, while avoiding conflicting processes and maintaining a clear structure for reentry to the evaluation process for tenured faculty.

- Motion: Bourke Seconded: Pizzo
- **Vote. Yes: 9 No: 0 Abstain:**

## • L: Assign All Tenured Faculty Members to the Departmental TFRC

- Concern: Limiting TFRC membership to a small, elected subset of tenured faculty introduces potential variability and inconsistency in the application of departmental performance standards over time. This rotating membership may also create political dynamics around TFRC elections, raising concerns about fairness, transparency, and adequate representation of faculty perspectives in the review process.
- Origin: Listening Session
  - Revise 2.19.1 Establishing the Department/Unit Tenured Faculty Review Committee (TFRC)
    - a. The department/unit **TFRC** shall ~~elect no fewer than three members of the TFRC, all of whom shall be elected by and from the~~ **consist of all** tenured faculty ~~of in~~ the department/unit, excluding the department chair/unit head. ~~The members of the TFRC shall be elected no later than December 1 of the year prior to the year in which it is to function. ):~~
    - b. If a department/unit does not have at least three eligible TFRC members, the TFRC may select tenured faculty outside the department and within the college to serve on the TFRC with the advice of the college Dean.**

b. A member of the TFRC shall not participate in the review of a case where there is a conflict of interest, including a review of their own case.  
~~In such circumstances~~

~~e. No member of the TFRC may also serve on the University Tenure Committee (UTC).~~

d. If the TFRC has fewer than three committee members, the TFRC shall select ~~an alternate or alternates from eligible department/unit tenured faculty members to serve for the case. If a department/unit does not have enough eligible tenured faculty to select from, the TFRC may select~~ tenured faculty outside the department and within the college to serve ~~for the case~~ with the advice of the college Dean.

e. The TFRC shall elect a chair annually and may delegate its functions to a subcommittee consisting of the chair and at least two additional elected members. The subcommittee may carry out all review functions except in cases where a rating of “Does Not Meet Standards” or “Insufficient Progress” has been issued by the department chair/unit head or is otherwise under consideration. In such cases, the subcommittee may prepare an initial review and draft recommendation, but the authority to issue these ratings rests solely with the full TFRC and shall require a majority vote by secret ballot following deliberation. A quorum, defined as a majority of eligible voting members, must be established for the vote to be valid.

- Rationale: This revision charges all tenured faculty in a department with service on the Tenured Faculty Review Committee (TFRC), consistent with the principle that if tenure is recommended by all tenured faculty in a department, they should also be involved in decisions that could, in rare circumstances, lead to a tenured colleague's dismissal. To balance fairness and efficiency, the TFRC may delegate routine review tasks to a small subcommittee, but any rating of “Does Not Meet Standards” or “Insufficient Progress” must be approved by a majority vote of the full TFRC. This structure aligns with AAUP standards for peer-based, developmentally focused post-tenure review while supporting flexible workloads.
- Motion: Pizzo Seconded: Bourke
- **Vote. Yes: 8 No: 0 Abstain.**

## ● M: Extend TFRC Deadlines

- Concern: If TFRC membership is expanded to include full department deliberation, additional time may be needed to accommodate this review, especially in larger departments.
  - Revise the following comprehensive review deadlines to ensure time for full tenured faculty departmental deliberation and action:
    - Faculty submit materials February 1 (unchanged)
    - Chair review March 1 (unchanged)
    - Optional faculty Response March 15 (unchanged)

**Extend TFRC review to April 15 (from April 1)**

**Extend Dean review to May 1 (from April 15)**

- Revise the following intensive development plan assessment deadlines to ensure time for full tenured faculty departmental deliberation and action:
  - Faculty submit intensive development report February 1**
  - Extend Chair and TFRC review March 1 (from February 15)**
  - Extend Solutions Conference to March 15 (from March 1)**
  - Extend Solutions Deadline to March 25 (from March 15)**
  - Chair proposes sanctions April 1 ( unchanged)
  - Optional faculty response April15 (unchanged)
  - UTC and Dean review May 1 (unchanged)
  - Provost imposes/recommends sanctions May 15 (unchanged)
  - Appeal process unchanged
- Rationale: Allow for increased flexibility in scheduling TFRC review while preserving a reasonable review cadence for both comprehensive evaluation and intensive development processes.
- Motion: Sahawneh Seconded: Pizzo
- **Vote. Yes: 8 No: 0 Abstain:**