Appalachian State University
Faculty Senate Agenda
February 10, 2014

AGENDA SUMMARY:
(Full Agenda follows on next page)

(3:15 pm) I. Welcome and Announcements INFORMATION

(3:20 pm) II. Faculty Senate Minutes ACTION
A. Approval of January 13, 2014 Minutes
B. Approval of February 3, 2014 Minutes

(3:25 pm) III. Visitors’ Reports INFORMATION
A. Donna Lillian and Martha Marking

(3:40 pm) IV. Provost’s Report INFORMATION

(3:55 pm) V. Chair’s Report INFORMATION

(4:10 pm) VI. Committee Reports INFORMATION
A. Faculty Handbook: Motion on proposed changes to Faculty Handbook, Early Promotion and Tenure.
B. Committee on Committees: Committee recommendations

(5:10 pm) VII. Unfinished Business INFORMATION

(5:15 pm) VIII. New Business

(5:20 pm) IX. Adjourn (time approximated)
Appalachian State University
Faculty Senate Agenda
February 10, 2014  3:15 pm
William Strickland Conference Room - 224 I.G. Greer
NOTE: All Faculty Senate meetings are recorded.

(3:15 pm)  I.  Announcements

A. Welcome and Introduction of Visitors.

(3:20 pm)  II.  Minutes

A. Approval of January 13, 2014 Faculty Senate minutes. Available online at:
   http://fasen.appstate.edu/sites/fasen.appstate.edu/files/Jan.%2013%202014%20MinutesFinalUnapp.pdf

B. Approval of February 3, 2014 Minutes. Available online at:
   http://fasen.appstate.edu/sites/fasen.appstate.edu/files/Fac%20Sen%20Minutes%20February%203%2014.pdf

(3:25 pm)  III.  Visitors’ Reports

A. Donna Lillian and Martha Marking
   Interpersonal Violence Task Force Report

(3:40pm)  IV.  Provost’s Report

(3:55 pm)  V.  Chair’s Report

(4:10 pm)  VI.  Committee Reports (Committee Chair’s name is in bold print)

A. Academic Policies (Campbell, Crepeau, Nash, Reed, Stanovsky)

B. Agenda Committee (Koch, Aycock, Gates, Martin, Provost Gonzalez)

C. Budget Committee (Geary, Hageman, McGrady, Murrell, Rice, Stallworth, Strazich, Szeto)
D. Campus Planning Committee (Crawford, Daigle, Everhart, **Fenwick**, Frye, Stokes)

E. Committee on Committees (**Gates**, Hester, Morehouse, Oliver, Puckett, Villanova)

   1. Recommendations for General Education Faculty Coordinating Committees:
      Social Science Designator: John Whitehead (ECO), Rose Mary Webb (PSY) and Cameron Lippard (SOC)

      Integrative Learning Experience: Jim Toub (ART), Betsy Williams (LIB), George Ehrhardt (GJZ), Amy Galloway (PS), and Michael Behrent (HIS).

      Liberal Studies Experience: Amanda Bird (LIB), Kelly McCallister (LIB), Scott Welsh (COM), Renee Scherlen (GJS) and Andrew Smith (PSY)

      Wellness Literacy: Scott Townsend (HLES)

   2. Other recommendation:

      Non-Tenure Track Faculty Committee: Iryna Sharalevska (HLES)

F. Faculty Handbook Committee (**Koch**, Aycock, Vannoy, Provost Gonzalez)

   1. Proposed Handbook changes focusing on Early Promotion and Tenure (with some addition cleanup of language in the Handbook)

G. Faculty Welfare and Morale Committee (Alexander-Eitzman, Cremaldi, Erickson, Howard, Toub, **Stoddard**, Reck)

H. Welfare of Students Committee (**Peterson-Sparks**, Smith, Zrull)

(5:10 pm) VII. Unfinished Business

   A. None

(5:15 pm) VIII. New Business
Appendix A: Faculty Handbook—Proposed Handbook changes focusing on Early Promotion and Tenure: 3.7 – 3.8.7.3

February 10, 2014

Current Language

3.7 Academic Tenure

Academic tenure refers to the conditions and guarantees that apply to a faculty member’s employment. More specifically, it refers to the protection of a faculty member against discharge from employment except for reasons of (i) incompetence, (ii) neglect of duty, or (iii) misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty, as specified in Code Section 603 and in accordance with the procedures provided in section 4.10, or against termination of employment except as provided for in section 4.9.

3.7.1 The purposes intended to be served by according the protection of academic tenure to faculty members are to secure their academic freedom and to help the institution attract and retain faculty members of high quality. While academic tenure may be withheld on any grounds other than those specifically stated to be impermissible in section 4.6.1, its conferral requires an assessment of the faculty member’s demonstrated professional competence; potential for future contributions; commitment to effective teaching, research, and public service; and the needs and resources of the institution.

3.7.2 Academic tenure, as herein described, pertains exclusively to the employment of faculty members by appointment to specified faculty ranks. Appalachian State University requires the doctorate or other appropriate earned terminal degree for consideration of the conferral of permanent tenure on any faculty member, unless there are exceptional circumstances. Nothing in these regulations shall be construed to preclude a faculty member from seeking and being recommended for permanent tenure or promotion at any time.

3.8 Tenure-Eligible Academic Ranks

3.8.1 The University shall require the doctorate or other appropriate earned terminal degree for all full-time faculty appointments above the rank of instructor, unless there are exceptional circumstances. Appointments may be for fixed terms of employment, automatically terminable when they expire (“fixed-term appointment”); or they may be for probationary terms (“probationary-term appointment”); or they may be continuous (“appointment with permanent tenure”) until retirement, death, resignation, or dismissal pursuant to The Code of The University of North Carolina.
3.8.2 No reviewing person or committee substitutes its judgment for the judgment of the departmental chair, a search committee, and/or the departmental personnel committee or the departmental promotion and tenure committee on matters relating to the professional qualifications of the individual involved [i.e., the individual’s ability to fulfill adequately the professional requirements of the position. However, in accordance with The Code of The University of North Carolina, section 602(4), those charged with making decisions on initial appointment, reappointment, promotion and permanent tenure shall examine and evaluate “demonstrated professional competence” (i.e., the faculty member’s actual performance), the faculty member’s potential for future contribution, and institutional needs and resources.]

3.8.3 The faculty ranks to which appointments may be made, the minimal criteria that a candidate must meet in order to be eligible for consideration for the various ranks, and the incidents of academic tenure applicable to each rank are set forth in sections 3.8.4 through 3.8.7:

3.8.4 Instructor

3.8.4.1 See The University of North Carolina Policy Manual, section 400.3.1.1 concerning required discussions relating to the primacy of teaching.

3.8.4.2 Minimal criteria for consideration of appointment to the rank of instructor are:

(a) a master’s degree from an accredited institution in an appropriate field or special competencies in lieu of the master’s degree; and

(b) evidence of potential in teaching; and

(c) evidence of potential in at least one of the following:

   (i) research or other germane creative activity; or

   (ii) professional service to the University and/or to the public.

3.8.4.3 The rank of instructor is appropriate for one who is appointed to the faculty but lacks, when appointed, one or more qualifications expected by the department or college/school for appointment to professorial rank. When all of those qualifications are met, the instructor may be promoted to assistant professor, offered a terminal appointment of one academic year, or be offered a special faculty appointment. (see section 3.13)

3.8.4.4 An initial appointment to the rank of instructor is for a probationary term of one academic year. The instructor may be reappointed successively for six terms of one academic year, a total of seven such terms. At least ninety (90) calendar days before the first term of appointment ends, the instructor shall receive written notice whether, when the current term expires, the instructor will be reappointed at rank for another term, promoted to the rank of assistant professor, appointed to a special faculty appointment as provided in section 3.13, or not be reappointed. An instructor appointed to a second one-year term shall receive a similar notice not less than 180 calendar days before that term ends. During the last 180 calendar days of the second consecutive year of employment, the institution may notify the instructor that employment will be terminated at the end of the third year of employment. Before the end of the third consecutive term, an instructor who has not been notified that employment will be ended in that year as provided in the preceding sentence shall receive a written notice whether, when the
current term expires, the instructor will be reappointed at rank, promoted to the rank of assistant professor for a four-year term, appointed to a special faculty appointment as provided in section 3.13, of at least a one-year duration, or offered a terminal appointment of one academic year at the end of the current term. Decisions shall be made with respect to these same options before the end of the fourth, fifth, and sixth consecutive term. No reappointment to the rank of instructor may be made after seven consecutive years of employment at that rank. (But see section 3.13, “Special Faculty Appointments.”) The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment of one academic year at the same rank. The decisions herein required shall be made as provided in section 4.4.

3.8.4.5 Nothing in these regulations shall be construed to preclude a faculty member from seeking and being recommended for promotion at any time.

3.8.5 Assistant Professor

3.8.5.1 See The University of North Carolina Policy Manual, section 400.3.1.1, concerning required discussions relating to the primacy of teaching.

3.8.5.2 Minimal criteria for consideration of appointment/promotion to the rank of assistant professor are:

(a) the appropriate earned terminal degree from an accredited institution, unless there are exceptional circumstances;

(b) demonstrated ability in teaching;

(c) evidence of ability for research or other germane creative activity;

(d) willingness to participate in institutional affairs and professional service to the University and/or to the public.

3.8.5.3 An initial appointment to the rank of assistant professor is normally for a probationary term of four academic years. Before the end of the third year of the four-year probationary term, the assistant professor shall receive written notice whether, when the current term expires, she or he will be reappointed at that rank for a second probationary term of three years or not be reappointed.

3.8.5.4 Before the end of the second year of the three-year term as assistant professor, the assistant professor shall receive written notice whether she or he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.

3.8.5.4.1 Credit toward tenure and promotion for service elsewhere

3.8.5.4.1.1 A newly hired assistant professor may submit to her or his departmental chair a written request (with appropriate supporting documentation) that up to, but no more than, three years served elsewhere in a tenured or tenurable position (or in an equivalent position) may be counted toward tenure and promotion at Appalachian State University. A newly hired assistant professor seeking credit for service elsewhere must submit her or his request for credit to the departmental chair within thirty (30) calendar days from the first day of classes in the term in
which the assistant professor’s employment with Appalachian State University begins. After review of the assistant professor’s request and supporting documentation, the departmental chair may, in her or his discretion, recommend to the relevant dean that the newly hired assistant professor be granted up to three years credit. The dean shall review the departmental chair’s recommendation and the supporting documentation, and shall in turn forward to the provost and executive vice chancellor, the dean’s recommendation as to whether and to what extent to grant the assistant professor credit for service elsewhere. The final decision, which shall rest with the provost and executive vice chancellor, shall be based on the documentation provided and shall be irrevocable.

3.8.5.4.1.2 If one year of service elsewhere is counted, the initial contract will be for a probationary term of three years. Before the end of the second year of the first three-year term, the assistant professor shall receive written notice whether, when the current term expires, she or he will be reappointed at the same rank for a second probationary term of three years or not be reappointed. Before the end of the second year of the second three-year term as assistant professor, the assistant professor shall receive written notice whether she or he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.

3.8.5.4.1.3 If two years of service elsewhere are counted, the initial contract will be for a probationary term of three years. Before the end of the second year of the three-year term, the assistant professor shall receive written notice whether, when the current term expires, she or he will be reappointed at the same rank for a second probationary term of two years or not be reappointed. Before the end of the first year of the two-year term as assistant professor, the assistant professor shall receive written notice whether she or he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.

3.8.5.4.1.4 If three years of service elsewhere are counted, the initial contract will be for a probationary term of four years. Before the end of the third year of the four-year term, the assistant professor shall receive written notice whether she or he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.

3.8.5.4.2 Temporary suspension of probationary period with respect to permanent tenure

3.8.5.4.2.1 The probationary service with respect to permanent tenure of an assistant professor who has been granted a leave or course-load reduction under the terms of section 6.2.1.1 (g) shall be calculated in accordance with the provisions of that section. The calculation of probationary service in such circumstances shall be automatic, and no request for such calculation need be made by the faculty member.

3.8.5.4.2.2 A faculty member may submit to her or his departmental chair a written request for a determination that extraordinary circumstances warrant not counting a specific academic year as part of the faculty member’s probationary period with respect to permanent tenure. Any such request should be submitted as soon as practicable, but in no event later than ninety (90) calendar days following the close of the academic year in which the circumstances occurred. The departmental chair shall submit the request to the departmental promotion and tenure committee for review and recommendation; and, upon receipt of the departmental promotion and tenure committee’s recommendation, the departmental chair shall forward that recommendation along with the departmental chair’s recommendation to the dean. The dean shall in turn forward her or
his recommendation to the provost and executive vice chancellor, who shall make a
determination whether extraordinary circumstances warrant not counting the specified academic
year as part of the faculty member’s probationary period with respect to permanent tenure.

3.8.5.4.2.3 The total time not counted toward a faculty member’s probationary period with
respect to permanent tenure, both under section 3.8.5.4.2.2 above and section 6.2 may not exceed
two academic years.

3.8.5.5 The failure to give the required notice of a decision not to reappoint at any point herein
required has the same effect as a decision at that time to offer a terminal appointment for one aca-
demic year at the same rank. The decisions herein required shall be made as provided in section
4.4.

3.8.5.6 Nothing in these regulations shall be construed to preclude a faculty member from
seeking and being recommended for promotion or permanent tenure at any time.

3.8.6 Associate Professor

3.8.6.1 See The University of North Carolina Policy Manual, section 400.3.1.1, concerning
required discussions relating to the primacy of teaching.

3.8.6.2 Minimal criteria for consideration of appointment/promotion to the rank of associate
professor are:
(a) the appropriate earned terminal degree from an accredited institution, unless there are
exceptional circumstances, and at least five (5) years of appropriate experience;
(b) recognized skill in teaching;
(c) recognized accomplishment in research or other germane creative activity;
(d) recognized accomplishment in professional service to the University and/or to the public;
and
(e) demonstrated willingness to participate in institutional affairs.

3.8.6.3 An initial appointment to the rank of associate professor is made with tenure or for a
probationary term of up to five academic years. The length of this initial appointment takes into
account credit toward tenure and promotion for service elsewhere.

3.8.6.4 Before the end of the probationary term, the associate professor shall receive written
notice whether she or he will be recommended for permanent tenure at the same or higher rank
when the current term expires or not be reappointed, consistent with the schedule of “Notice of
Reappointment or Non-reappointment” specified in section 604A (1) of The Code of The
University of North Carolina:

(a) During the first year of service at the institution, the faculty member shall be given not less
than ninety (90) calendar days’ notice before the employment contract expires;
(b) During the second year of continuous service at the institution, the faculty member shall be given not less than 180 calendar days’ notice before the employment contract expires; and

(c) After two or more years of continuous service at the institution, the faculty member shall be given not less than twelve (12) months’ notice before the employment contract expires.

3.8.6.4.1 Temporary suspension of probationary period with respect to permanent tenure

3.8.6.4.1.1 The probationary service with respect to permanent tenure of an associate professor who has been granted a leave or course-load reduction under the terms of section 6.2.1.1 (g) shall be calculated in accordance with the provisions of that section. The calculation of probationary service in such circumstances shall be automatic, and no request for such calculation need be made by the faculty member.

3.8.6.4.1.2 A faculty member may submit to her or his departmental chair a written request for a determination that extraordinary circumstances warrant not counting a specific academic year as part of the faculty member’s probationary period with respect to permanent tenure. Any such request should be submitted as soon as practicable, but in no event later than ninety (90) calendar days following the close of the academic year in which the circumstances occurred. The departmental chair shall submit the request to the departmental promotion and tenure committee for review and recommendation; and, upon receipt of the departmental promotion and tenure committee’s recommendation, the departmental chair shall forward that recommendation along with the departmental chair’s recommendation to the dean. The dean shall in turn forward her or his recommendation to the provost and executive vice chancellor, who shall make a determination whether extraordinary circumstances warrant not counting the specified academic year as part of the faculty member’s probationary period with respect to permanent tenure.

3.8.6.4.1.3 The total time not counted toward a faculty member’s probationary period with respect to permanent tenure, both under section 3.8.6.4.1.2 above and section 6.2 may not exceed two academic years.

3.8.6.5 The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment for one academic year at the same rank. The decisions herein required shall be made as provided in section 4.4.

3.8.6.6 A promotion at any time from the rank of associate professor to the rank of professor confers permanent tenure from the effective date of the promotion. Since this promotion confers permanent tenure, it must be approved by the chancellor and the Board of Trustees.

3.8.6.7 Nothing in these regulations shall be construed to preclude a faculty member from seeking and being recommended for promotion or permanent tenure at any time.

3.8.7 Professor

3.8.7.1 See The University of North Carolina Policy Manual, section 400.3.1.1, concerning required discussions relating to the primacy of teaching.
**3.8.7.2** Minimal criteria for consideration of appointment/promotion to the rank of professor are:
(a) the appropriate earned terminal degree from an accredited institution, unless there are exceptional circumstances, and at least ten (10) years of appropriate experience;
(b) recognized skill in teaching;
(c) evidence of at least one of the following:
   (i) outstanding accomplishment in research or other germane creative activity with ongoing, recognized accomplishment in professional service to the University and/or public; or
   (ii) outstanding accomplishment in professional service to the University and/or to the public with ongoing, recognized accomplishment in research or other germane creative activity; and
(d) demonstrated ability and participation in institutional affairs.

**3.8.7.3** An initial appointment to the rank of professor shall be made with permanent tenure.

**Proposed Language**

**3.7 Academic Tenure**

Academic tenure refers to the conditions and guarantees that apply to a faculty member’s employment. More specifically, it refers to the protection of a faculty member against discharge from employment except for reasons of (i) incompetence, (ii) neglect of duty, or (iii) misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty, as specified in Code Section 603 and in accordance with the procedures provided in section 4.10, or against termination of employment except as provided for in section 4.9. (The overall policy for academic tenure in the UNC system is found in the UNC Code 602.)

**3.7.1** The purposes intended to be served by providing the protection of academic tenure to faculty members are to secure their academic freedom and to help the institution attract and retain faculty members of high quality. While academic tenure may be withheld on any grounds other than those specifically stated to be impermissible in section 3.7.6, its conferral requires the assessment that the candidate has met the criteria for the rank of associate professor as specified in 3.8.6.2. Promotion or appointment to the rank of professor confers permanent tenure (3.8.6.6 and 3.8.7.3) and requires the assessment that the candidate has met the criteria for the rank of professor (3.8.7.2).

**3.7.2** The Faculty Handbook criteria for the conferral of tenure shall be the basis for each academic department’s criteria for conferral of tenure, and both Faculty Handbook and departmental criteria shall be considered in all tenure decisions. Departmental criteria may be more rigorous than Faculty Handbook criteria. The conferral of tenure requires:
3.7.3 An Assistant Professor must be considered for tenure during his or her sixth year if he or she has not been granted tenure earlier. Under no circumstances should the length of the probationary period exceed seven years of full-time service except when the probationary period has been extended according the provisions of 3.8.5.4.2.2, 3.8.5.4.2.3, and/or 6.2. Associate Professors, not appointed with tenure, shall be reviewed for tenure no later than the fourth year of appointment (3.8.6.3) except when the probationary period has been extended according the provisions of 3.8.5.4.2.2, 3.8.5.4.2.3, and/or 6.2.

3.7.4 If a faculty member begins employment between January 1 and May 15, the partial academic or calendar year shall not count as part of the probationary period.

3.7.5 A faculty member who assesses that he or she has not met the requirements for tenure by the sixth year can forever waive consideration by stating, in writing, that he or she does not wish to be considered by the department. In such a case, the dean of the faculty member’s college/school shall send me the faculty member by certified mail, return receipt requested, a written notice of non-reappointment.

3.7.6 A decision not to grant tenure may not be based upon (1) the faculty member’s exercise of rights guaranteed by either the First Amendment to the United States Constitution or Article I of the North Carolina Constitution, (2) unlawful discrimination based upon the faculty member’s race, color, national origin, religion, creed, sex, gender identity and expression, political affiliation, age, disability, veteran status, or sexual orientation; or (3) personal malice. For purposes of this section, the term “personal malice” means dislike, animosity, ill will, or hatred based on personal characteristics, traits or circumstances of an individual that are not relevant to valid University decision making. See UNC Policy 101.3.1 II.B. for details. (4.6.1)

3.7.7 (formerly 3.7.2) Academic tenure, as herein described, pertains exclusively to the employment of faculty members by appointment to specified faculty ranks. Appalachian State University requires the doctorate or other appropriate earned terminal degree for consideration of the conferral of permanent tenure on any faculty member, unless there are exceptional circumstances.

3.8 Tenure-Eligible Academic Ranks

3.8.1 The University shall require the doctorate or other appropriate earned terminal degree for all full-time faculty appointments above the rank of instructor, unless there are exceptional circumstances. Appointments may be for fixed terms of employment, automatically terminable when they expire (“fixed-term appointment”); or they may be for probationary terms (“probationary-term appointment”); or they may be continuous (“appointment with permanent
tenure”) until retirement, death, resignation, or dismissal pursuant to The Code of The University of North Carolina.

3.8.2 No reviewing person or committee substitutes its judgment for the judgment of the departmental chair, a search committee, and/or the departmental personnel committee or the departmental promotion and tenure committee on matters relating to the professional qualifications of the individual involved [i.e., the individual’s ability to fulfill adequately the professional requirements of the position. However, in accordance with The Code of The University of North Carolina, section 602(4), those charged with making decisions on initial appointment, reappointment, promotion and permanent tenure shall examine and evaluate “demonstrated professional competence” i.e., the faculty member’s actual performance, the faculty member’s potential for future contribution, and institutional needs and resources.

3.8.3 The faculty ranks to which appointments may be made, the minimal criteria that a candidate must meet in order to be eligible for consideration for the various ranks, and the incidents of academic tenure applicable to each rank are set forth in sections 3.8.4 through 3.8.7. The Faculty Handbook criteria for ranks shall be the basis for each academic department’s criteria, and both Faculty Handbook and departmental criteria shall be considered in all appointment, reappointment, promotion, and tenure decisions. Departmental criteria may be more rigorous than Faculty Handbook criteria and shall be consistent with Faculty Handbook criteria.

3.8.4 Instructor

3.8.4.1 See The University of North Carolina Policy Manual, section 400.3.1.1 concerning required discussions relating to the primacy of teaching.

3.8.4.2 Minimal criteria for consideration of appointment to the rank of instructor are:

(a) a master’s degree from an accredited institution in an appropriate field or special competencies in lieu of the master’s degree; and

(b) evidence of potential in teaching; and

(c) evidence of potential in at least one of the following:

   (i) research or other germane creative activity; or

   (ii) professional service to the University and/or to the public.

3.8.4.3 The rank of instructor is appropriate for one who is appointed to the faculty but lacks, when appointed, one or more qualifications expected by the department or college/school for appointment to professorial rank. When all of those qualifications are met, the instructor may be promoted to assistant professor, offered a terminal appointment of one academic year, or be offered a special faculty appointment. (see section 3.13)

3.8.4.4 An initial appointment to the rank of instructor is for a probationary term of one academic year. The instructor may be reappointed successively for six terms of one academic year, a total of seven such terms. At least ninety (90) calendar days before the first term of
appointment ends, the instructor shall receive written notice whether, when the current term expires, the instructor will be reappointed at rank for another term, promoted to the rank of assistant professor, appointed to a special faculty appointment as provided in section 3.13, or not be reappointed. An instructor appointed to a second one-year term shall receive a similar notice not less than 180 calendar days before that term ends. During the last 180 calendar days of the second consecutive year of employment, the institution may notify the instructor that employment will be terminated at the end of the third year of employment. Before the end of the third consecutive term, an instructor who has not been notified that employment will be ended in that year as provided in the preceding sentence shall receive a written notice whether, when the current term expires, the instructor will be reappointed at rank, promoted to the rank of assistant professor, appointed to a special faculty appointment as provided in section 3.13, of at least a one-year duration, or offered a terminal appointment of one academic year at the end of the current term. Decisions shall be made with respect to these same options before the end of the fourth, fifth, and sixth consecutive term. No reappointment to the rank of instructor may be made after seven consecutive years of employment at that rank. (But see section 3.13, “Special Faculty Appointments.”) The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment of one academic year at the same rank. The decisions herein required shall be made as provided in section 4.4.

3.8.5 Assistant Professor

3.8.5.1 See The University of North Carolina Policy Manual, section 400.3.1.1, concerning required discussions relating to the primacy of teaching.

3.8.5.2 Minimal criteria for consideration of appointment/promotion to the rank of assistant professor are:

(a) the appropriate earned terminal degree from an accredited institution, unless there are exceptional circumstances;

(b) demonstrated ability in teaching;

(c) evidence of ability for research or other germane creative activity;

(d) willingness to participate in institutional affairs and professional service to the University and/or to the public.

3.8.5.3 An initial appointment to the rank of assistant professor is normally for a probationary term of four academic years. Before the end of the third year of the four-year probationary term, the assistant professor shall receive written notice whether, when the current term expires, she or he will be reappointed at that rank for a second probationary term of three years or not be reappointed.

3.8.5.4 Before the end of the second year of the three-year term as assistant professor, the assistant professor shall receive written notice whether she or he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.
3.8.5.5 An Assistant Professor may request review for promotion to Associate Professor or promotion to Associate Professor and tenure one year earlier than the mandatory year (see 3.8.5.6.) If the Assistant Professor is granted promotion to Associate Professor or promotion and tenure, the action(s) shall become effective at the beginning of the next fiscal year. An Assistant Professor may not request review for tenure without review for Associate Professor. If the Assistant Professor is unsuccessful in his/her review, he/she may request review in the following year. In order to be successfully promoted or tenured earlier than the mandatory year, the Assistant Professor shall demonstrate a record that surpasses departmental criteria, as well as Faculty Handbook criteria. (3.8.3)

3.8.5.6 An Assistant Professor must be considered for tenure during his or her sixth year if he or she has not been granted tenure earlier. Under no circumstances should the length of the probationary period exceed seven years of full-time service except when the probationary period has been extended according the provisions of 3.8.5.4.2.2, 3.8.5.4.2.3, and/or 6.2.

3.8.5.6.1 If a faculty member begins employment between January 1 and May 15, the partial academic or calendar year shall not count as part of the probationary period.

3.8.5.6.2 Credit toward tenure and promotion for service elsewhere
The department chair and an assistant professor candidate must negotiate any credit for service elsewhere to be granted toward tenure and promotion at the time of the offer. The assistant professor candidate may submit to her or his departmental chair a written request (with appropriate supporting documentation) that up to, but no more than, three years served elsewhere in a tenured or tenurable position (or in an equivalent position) may be counted toward tenure and promotion at Appalachian State University. Following review of materials, the chair will make a recommendation to the dean, and the dean will make a recommendation to the provost and executive vice chancellor. The final decision, which shall rest with the provost and executive vice chancellor, shall be made on the basis of the verified documentation provided and shall be irrevocable. Any service credited toward tenure and promotion must be specified in the letter of offer at the time of hire and included in the provisions of the initial contract.

3.8.5.6.3 If one year of service elsewhere is counted, the initial contract will be for a probationary term of three years. Before the end of the second year of the first three-year term, the assistant professor shall receive written notice whether, when the current term expires, she or he will be reappointed at the same rank for a second probationary term of three years or not be reappointed. Before the end of the second year of the second three-year term as assistant professor, the assistant professor shall receive written notice whether she or he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.

3.8.5.6.4 If two years of service elsewhere are counted, the initial contract will be for a probationary term of three years. Before the end of the second year of the three-year term, the assistant professor shall receive written notice whether, when the current term expires, she or he will be reappointed at the same rank for a second probationary term of two years or not be reappointed. Before the end of the first year of the two-year term as assistant professor, the assistant professor shall receive written notice whether she or he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.
3.8.5.6.5 If three years of service elsewhere are counted, the initial contract will be for a probationary term of four years. Before the end of the third year of the four-year term, the assistant professor shall receive written notice whether she or he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.

3.8.5.6.5.1 Temporary suspension of probationary period with respect to permanent tenure

3.8.5.6.5.2 The probationary service with respect to permanent tenure of an assistant professor who has been granted a leave or course-load reduction under the terms of section 6.2.1.1 (g) shall be calculated in accordance with the provisions of that section. The calculation of probationary service in such circumstances shall be automatic, and no request for such calculation need be made by the faculty member.

3.8.5.6.5.3 A faculty member may submit to her or his departmental chair a written request for a determination that extraordinary circumstances warrant not counting a specific academic year as part of the faculty member’s probationary period with respect to permanent tenure. Any such request should be submitted as soon as practicable, but in no event later than ninety (90) calendar days following the close of the academic year in which the circumstances occurred. The departmental chair shall submit the request to the departmental promotion and tenure committee for review and recommendation; and, upon receipt of the departmental promotion and tenure committee’s recommendation, the departmental chair shall forward that recommendation along with the departmental chair’s recommendation to the dean. The dean shall in turn forward her or his recommendation to the provost and executive vice chancellor, who shall make a determination whether extraordinary circumstances warrant not counting the specified academic year as part of the faculty member’s probationary period with respect to permanent tenure.

3.8.5.6.5.4 The total time not counted toward a faculty member’s probationary period with respect to permanent tenure, both under section 3.8.5.4.2.2 above and section 6.2 may not exceed two academic years.

3.8.5.7 The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment for one academic year at the same rank. The decisions herein required shall be made as provided in section 4.4.

3.8.6 Associate Professor

3.8.6.1 See The University of North Carolina Policy Manual, section 400.3.1.1, concerning required discussions relating to the primacy of teaching.

3.8.6.2 Minimal criteria for consideration of appointment/promotion to the rank of associate professor are:

(a) the appropriate earned terminal degree from an accredited institution, and at least five (5) completed years of appropriate experience, unless there are exceptional circumstances;

(b) recognized skill in teaching;
(c) recognized accomplishment in research or other germane creative activity;
(d) recognized accomplishment in professional service to the University and/or to the public; and
(e) demonstrated willingness to participate in institutional affairs.

3.8.6.3 An initial appointment to the rank of associate professor may be made with tenure or for a probationary term of up to five academic years. The length of this initial appointment takes into account credit toward tenure and promotion for service elsewhere. If the associate professor is not appointed with tenure, the department chair and the associate professor candidate must negotiate any credit for service elsewhere to be granted toward tenure at the time of the offer. The associate professor candidate may submit to her or his departmental chair a written request (with appropriate supporting documentation) that up to, but no more than, five years served elsewhere in a tenured or tenurable position (or in an equivalent position) may be counted toward tenure at Appalachian State University. Following review of materials, the chair will make a recommendation to the dean, and the dean will make a recommendation to the provost and executive vice chancellor. The final decision, which shall rest with the provost and executive vice chancellor, shall be made on the basis of the verified documentation provided and shall be irrevocable. Any service credited toward tenure must be specified in the letter of offer at the time of hire and included in the provisions of the initial contract.

3.8.6.4 Associate Professors, not appointed with tenure, shall be reviewed for tenure no later than the fourth year of appointment. (3.8.6.3) except when the probationary period has been extended according the provisions of 3.8.5.4.2.2, 3.8.5.4.2.3, and/or 6.2.

3.8.6.5 Before the end of the probationary term, the associate professor shall receive written notice whether she or he will be recommended for permanent tenure at the same or higher rank when the current term expires or not be reappointed, consistent with the schedule of “Notice of Reappointment or Non-reappointment” specified in section 604A (1) of The Code of The University of North Carolina:

(a) During the first year of service at the institution, the faculty member shall be given not less than ninety (90) calendar days’ notice before the employment contract expires;

(b) During the second year of continuous service at the institution, the faculty member shall be given not less than 180 calendar days’ notice before the employment contract expires; and

(c) After two or more years of continuous service at the institution, the faculty member shall be given not less than twelve (12) months’ notice before the employment contract expires.

3.8.6.5.1 Temporary suspension of probationary period with respect to permanent tenure

3.8.6.5.1.1 The probationary service with respect to permanent tenure of an associate professor who has been granted a leave or course-load reduction under the terms of section 6.2.1.1 (g) shall be calculated in accordance with the provisions of that section. The calculation of probationary service in such circumstances shall be automatic, and no request for such calculation need be made by the faculty member.
3.8.6.5.1.2 A faculty member may submit to her or his departmental chair a written request for a determination that extraordinary circumstances warrant not counting a specific academic year as part of the faculty member’s probationary period with respect to permanent tenure. Any such request should be submitted as soon as practicable, but in no event later than ninety (90) calendar days following the close of the academic year in which the circumstances occurred. The departmental chair shall submit the request to the departmental promotion and tenure committee for review and recommendation; and, upon receipt of the departmental promotion and tenure committee’s recommendation, the departmental chair shall forward that recommendation along with the departmental chair’s recommendation to the dean. The dean shall in turn forward her or his recommendation to the provost and executive vice chancellor, who shall make a determination whether extraordinary circumstances warrant not counting the specified academic year as part of the faculty member’s probationary period with respect to permanent tenure.

3.8.6.5.1.3 The total time not counted toward a faculty member’s probationary period with respect to permanent tenure, both under section 3.8.6.4.1.2 above and section 6.2 may not exceed two academic years.

3.8.6.6 The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment for one academic year at the same rank. The decisions herein required shall be made as provided in section 4.4.

3.8.6.7 A promotion at any time from the rank of associate professor to the rank of professor confers permanent tenure from the effective date of the promotion. Since this promotion confers permanent tenure, it must be approved by the chancellor and the Board of Trustees.

3.8.7 Professor

3.8.7.1 See The University of North Carolina Policy Manual, section 400.3.1.1, concerning required discussions relating to the primacy of teaching.

3.8.7.2 Minimal criteria for consideration of appointment/promotion to the rank of professor are:

(a) the appropriate earned terminal degree from an accredited institution, and at least ten (10) completed years of appropriate experience unless there are exceptional circumstances;

(b) recognized skill in teaching;

(c) evidence of at least one of the following:

   (i) outstanding accomplishment in research or other germane creative activity with ongoing, recognized accomplishment in professional service to the University and/or public; or

   (ii) outstanding accomplishment in professional service to the University and/or to the public with ongoing, recognized accomplishment in research or other germane creative activity; and
(d) demonstrated ability and participation in institutional affairs.

3.8.7.3 An initial appointment to the rank of professor shall be made with permanent tenure.