

**Complete List of Substantive Changes to AA-6 for January Faculty Senate Meeting**  
**AA-6 Senate-Passed Version compared to January “Clean” Version**

**1. Superseded Policies — AA-15 (Emeritus) removed**

**Senate-passed (1.6):**

“...repeals and supersedes ... **MUBOG-AA-15 – Emeritus Status for Retired Employees ...**”

**January version (1.6):**

“...repeals and supersedes ... MUBOG-AA-6, MUBOG-AA-7, MUBOG-AA-8, **MUBOG-AA-9**, ...”

**Change:** Explicit repeal of AA-15 is removed.

**Effect:** AA-15 remains operative alongside AA-6. AA-6 mentions Emeritus Status, but Emeritus status is available to all Marshall University Employees, not just faculty. Repealing that policy would remove these benefits from nonfaculty employees.

**Requested by:** FPC

**2. Assistant Professor Rank — ABD hiring authority added**

**Senate-passed:** No ABD provision.

**January version (NEW 5.4.1.1):** “5.4.1.1 A potential faculty member who is ABD (all but dissertation) or who completed all coursework for their terminal degree, but has not completed other final components of the terminal degree, may be hired at the rank of Assistant Professor, but their expected terminal degree completion date must be noted in their initial offer letter. The offer letter should outline appropriate provisions should the faculty member not complete their terminal degree. These special cases require approval by the Provost..”

**Change:** Creates a new hiring eligibility category/ provides the ability for academic units to hire someone who is ABD and stipulates contractual obligations related to completion of degree.

**Requested by:** Academic Deans

### **3. Promotion Eligibility Year — Offer-letter lock-in added**

**Senate-passed:** No requirement tying promotion eligibility to the offer letter.

**January version (NEW 6.6–6.6.2):** “Promotion Date Eligibility. The date on which a faculty member is eligible for promotion will be an explicit and written part of that faculty member’s initial offer letter of employment, which is available upon request from the Office of Academic Affairs. This date will include details about when the faculty member should apply for promotion, the date they would be eligible to receive a promotion, and any other pertinent information ensuring that timelines are specified in the initial offer letter.”

**Change:** Promotion timing becomes explicitly stated at time of hire.

**Requested by: SOM and Academic Deans**

### **4. Written Promotion Guidelines — Approval chain expanded and fixed**

**Senate-passed (6.4):** “...guidelines established in cooperation with the Faculty...”

**January version (6.7):** Each Academic Unit and department will develop written guidelines outlining procedures and performance criteria for promotion. Marshall University Board of Governor’s rules (MUBOG), including but not limited this current rule, and University Policy UP-AA-20, Faculty Workload. Academic Unit promotion guidelines must be approved by the Academic Unit’s faculty, in consultation with the Academic Dean. Department promotion guidelines must be approved by the Academic Unit’s faculty and their Dean. Academic Unit and Department / School promotion guidelines must be approved by the University Faculty Senate’s Faculty Personnel Committee and the Provost..”

**Change:** Adds a mandatory multi-level approval sequence not previously specified. Clarification was added throughout denoting “University Faculty Senate Faculty Personnel Committee”

**Requested by: FPC and Academic Deans**

### **5. Promotion Initiation — Department Chair self-initiation clarified**

**Senate-passed:** No explicit self-initiation language for Chairs.

**January version (6.8):** “Proposals for the promotion of a Department Chair may be initiated by themselves...”

**Change: Creates explicit self-initiation authority for Chairs.**

**Requested by: Chairs**

## **6. Faculty Personnel Committee — Role clarified as the University Faculty Senate Faculty Personnel Committee**

**Senate-passed (14.5.1.3):** “The Faculty Personnel Committee (FPC) may provide guidance...”

**January version (14.5.1.4):** “The **University Faculty Senate’s** Faculty Personnel Committee... may provide guidance and oversight... All updates... must be approved...”

**Change:** Adds oversight authority and explicit approval power. Clarifies ambiguity as academic unit’s also have personnel committees, and ensures the University Faculty Senate’s Faculty Personnel Committee governance role over matters related to faculty as enshrined by the faculty constitution.

**Requested by:** FPC

## **7. First Eligible Cohort — New eligibility gate added**

**Senate-passed:** No cohort restriction sentence.

**January version (14.2):** “Faculty members hired on or after the 2028–2029 Academic Year after June 30, 2028 shall be governed by the procedures, criteria, and timelines outlined in this Rule. The first cohort of faculty eligible for promotion and/or tenure review under this Rule shall be those applying after June 30, 2029 (or during the 2029–2030 Academic Year)..”

**Change:** Creates a **hard eligibility start date**.

**Requested by:** Academic Deans

## **8. NEWLY INSERTED ITEM (Corrected Omission)**

### **Non-Tenure-Track Faculty — Direct Promotion During Transition Period**

**Senate-passed:** No provision allowing non-tenure-track faculty to bypass sequential rank progression.

**January version (14.3):** “Non-tenure faculty members eligible for promotion at a higher rank than the next rank established by this policy... may, during this transition period, apply directly to that rank...”

**Change:** Creates a **temporary alternative promotion pathway** for non-tenure-track faculty.

**Requested by:** Faculty

## **9. Defined Explicit Dates**

**Senate-passed section 14 which used Academic years (dates were not changed, just now stated explicitly.**

**January version – Dates have been explicitly noted.**

14.1 “This Rule shall take effect July 1, 2028, and shall apply to all faculty members hired on or after July 1, 2028.”

14.2 *Initial Application to Promotion and Tenure Candidates*

“Faculty members hired after June 30, 2028, shall be governed by the procedures, criteria, and timelines outlined in this Rule. The first cohort of faculty eligible for promotion and/or tenure review under this Rule shall be those applying after June 30, 2029 (or during the 2029–2030 Academic Year).”

“14.3 *Transition Period for Existing Faculty...*

1. Faculty members hired prior to July 1, 2028....”

2. Faculty who wish to transition to this Rule must notify their Department Chair / School Director and Dean in writing by September 1, 2028.”

14.4 *Sunset of Prior Policies*

‘All previous Marshall University promotion and tenure policies, including MUBOG-AA-6, MUBOG-AA-7, MUBOG-AA-9, and any Academic Unit or departmental policies derived from them, shall be fully sunset on June 30, 2035 or seven (7) years following the 2028–2029 Academic Year. Beginning on July 1, 2035 (the 2035–2036 Academic Year)’

14.5 *Alignment of Academic Unit and Departmental Guidelines*

“To ensure uniform implementation and compliance with this Rule, all Academic Units, Colleges, and Departments/Schools shall create, revise, or update their internal governance and personnel policies to align with the provisions, definitions, evaluation standards, and procedural requirements established herein. Each Academic Unit and department shall review and revise (and in some case establish) its internal promotion and tenure guidelines, rubrics, and bylaws to ensure alignment with this Rule. Revised unit-level and departmental documents must be submitted to the University Faculty Senate’s Faculty Personnel Committee and the Provost for approval no later than June 30, 2027.”

14.5.1.2 “The Department Chair/School Director and Academic Dean are responsible for ensuring that these updates are completed by June 30, 2027, and sent to the University Senate Faculty Personnel Committee by July 1, 2027. Department Chair/School Director and Academic Deans cannot unilaterally establish, update/change the policies and procedures without input and approval from their faculty.”

14.5.2.2 “All identified policies shall be reviewed, revised, and approved through appropriate University governance channels no later than April 30, 2028.”

14.6 *External Review and Evaluation Materials Transition*

“Starting July 1, 2027, but before the 2028–2029 academic year (policy transition year), departments will update their external review processes to conform to this Rule’s requirements for reviewer independence, selection procedures, and documentation (Appendix 2 and Appendix 3).

• All external reviewer solicitation templates and tracking worksheets must be converted to the new institutional format by October 1, 2028.

• Faculty applying under the legacy rule prior to the sunset date may continue using prior external review forms, provided those reviews are conducted before July 1, 2035.”

**Change:** Adds an explicit dates for policy updates and due dates for departments and academic units. academic-year trigger.

**Requested by: Chairs and Deans**

**10. External Review & Implementation Oversight — Compliance strengthened**

**January version adds / strengthens language that:**

- Conditions full implementation on policy alignment
- Requires annual reporting to President and BOG
- Centralizes enforcement in Academic Affairs and University Faculty Personnel Committee

**Change:** Shifts implementation from aspirational to enforceable.

**Requested by: Chairs and Deans**

**11. Application Packet – Clarification on material deadline and content**

**January version adds clarification language that:**

- Indicates that faculty achievements related to promotion and/or tenure occurring after the August 15 deadline, will be counted for the next promotion period.

**Change:** The previously passed version did not include this language and so it was unclear if achievements occurring after portfolio submission would be counted as previous policy said “after promotion”.

Requested by FPC (issue was brought up by COS Senator during Senate meeting).

## MARSHALL UNIVERSITY BOARD OF GOVERNORS

### Rule No. AA-6

#### **Faculty Classification, Types and Conditions of Appointment, Ranks, Promotion, Tenure, Dismissal for Cause, Resignation, & Emeritus Status**

##### **1. General Information**

###### **1.1 Purpose**

The policy on "Faculty Classification, Types and Conditions of Appointment, Ranks, Promotion, Tenure, Dismissal for Cause, Resignation, & Emeritus Status" encompasses a comprehensive framework designed to manage the professional lifecycle of faculty members within Marshall University. The objective of this policy is to establish equitable and appropriate criteria, eligibility, expectations, notification, procedures, and standards for faculty from their initial appointment through to their potential transition to emeritus status, and the formation of promotion / tenure policies at the Academic Unit and Department levels.

###### **1.2 Scope**

This Rule relates to the appointment, classification, rank, promotion, tenure, reappointment, or dismissal for cause of faculty. This Rule applies to all faculty members at all colleges and schools at Marshall including the Joan C. Edwards School of Medicine.

###### **1.3 Authority**

W. Va. Code §18B-1-6

###### **1.4 Passage Date: [TBD]**

###### **1.5 Effective Date: 2028-2029 Academic Year** (See Section 14 for implementation and transition provisions).

###### **1.6 Superseding Provisions**

This Rule supersedes and replaces Higher Education Policy Commission Series 9 – Academic Freedom, Professional Responsibility, Promotion, and Tenure; and any other Rule of the Higher Education Policy Commission which relates to the subject matter contained within this Rule. This Rule also repeals and supersedes MUBOG-AA-6 – Faculty Promotion, MUBOG-AA-7 – Faculty Promotion, MUBOG-AA-8 – Termination of Faculty Due to Program Reduction or Discontinuance, MUBOG-AA-9 – Faculty Tenure, MUBOG-AA-15 – Emeritus Status for Retired Employees, and any other internal academic affairs policy or procedure which relates to the subject matter contained within this Rule.

##### **2. Definitions**

**2.1 Academic Rank**

“Academic Rank” means the level of position held by a Faculty Member. Faculty ranks include Professor, Associate Professor, Assistant Professor, Senior Instructor, Instructor, and Research Scholar. The title used by a faculty member is typically a combination of an Academic Rank and a Faculty Classification.

**2.2 Academic Unit**

An academic unit is a major administrative division of the university, which is typically headed by a Dean. For the purposes of this policy, “Academic Unit” refers to units listed in Bylaw 14 of the Faculty Senate.

**2.3 Board of Governors**

“Board of Governors” means the Board of Governors (BOG) at Marshall University.

**2.4 Business Day**

A “Business Day” is a day when Marshall’s Huntington campus is open for business, including days when the university is open but classes are not held. Business Days do not include weekends, University holidays, or other days when the Huntington campus is closed.

**2.5 Department Chair / School Director**

A “Department Chair / School Director” is a faculty member in an academic department within an academic school or college whose role is to manage that department. School directors who manage a major subdivision of an Academic Unit and report through a Dean also fulfill the role of Department Chair / School Director. When a School is freestanding and not part of a college, it is managed by a Dean who is not a Department Chair / School Director.

**2.6 Critical Year**

“Critical Year” means the penultimate year of the tenure-track period, which typically is the sixth year. The candidate applies for tenure during the Critical Year.

**2.7 Dean**

A “Dean” is a university officer who is the head of a particular Academic Unit and its associated faculty. For the purposes of this policy, “Dean” includes the top-level administrator for each Academic Unit. A Dean serves as their academic unit’s chief academic officer and reports to the Provost for all academic related matters, including (but not limited to) rules, policies, regulations, and procedures related to faculty.

**2.8 Designated Faculty Prefixes**

“Designated Faculty Prefixes” refers to “Adjunct-,” “Clinical-,” “Dual-Credit-,” “Research-,” “Teaching-,” or “Visiting-,” as applicable to describe the Faculty Member’s connection or function within the University.

**2.9 Faculty**

“Faculty” “refers to the class of individuals who are specifically appointed as such by the President including, but not limited to, faculty with academic rank as well as such professional personnel such as librarians, faculty equivalents, and academic professionals.

**2.10 Faculty Classification**

“Faculty Classification” refers to the different categories of faculty members (holding academic rank), such as Tenured, Tenure-track, Non-tenure track, Clinical-track, Librarian-track, and Research-track. Each classification has distinct roles, responsibilities, and eligibility criteria for benefits and promotions.

**2.11 Faculty Equivalent**

“Faculty Equivalent” refers to certain non-tenure-track positions that, while distinct from other Marshall faculty, are counted as faculty rather than staff. These include certain positions in the Autism Training Center and certain athletic coaches.

**2.12 Faculty Member**

“Faculty Member” means an individual member of the Faculty.

**2.13 Full-time**

“Full-time” means a 1.0 FTE equivalent position for the contract year.

**2.14 President**

“President” means the President of Marshall University or the President’s designee.

**2.15 Probationary Period**

The time during which a faculty member has been hired on the tenure track but has not yet been granted or denied tenure. During this period, the candidate demonstrates their fitness for tenure.

**2.16 Provost**

“Provost” means Marshall University’s highest ranking academic officer. In this role, all academic Deans or equivalents (for academic matters) report to the Provost who oversees all matters related to academic affairs. The Provost oversees the operations of academic affairs matters, including policies related to faculty. The Provost is the chief academic officer of Marshall University and oversees all Deans, regarding academic and faculty matters.

**2.17 Tenure**

Tenure at Marshall University provides for a continuing series of appointments which may be terminated by the university only for cause, under extraordinary circumstances, or in the event of a reduction or discontinuance of a program.

### **3. Faculty Classifications**

This section typically delineates the different categories of faculty members, such as adjunct-faculty, dual-credit instructor, tenured, tenure-track, clinical-track, teaching-track, librarian-track, and research-track. Each classification has distinct roles, responsibilities, and eligibility criteria for benefits and promotions.

#### **3.1 Adjunct-Instructor-Track**

Adjunct Faculty are instructors who teach part-time. The teaching loads for adjunct instructors are limited by University Policy UPAA-14, "Rule on Adjunct Faculty." Adjunct Faculty are not eligible for promotion or tenure and are hired on an "as needed basis."

#### **3.2 Dual-Credit Instructor-Track**

Dual Credit Instructors are typically employed by secondary schools who, in partnership with Marshall University, offer Marshall courses to high school students, who receive both high school and college credit for these courses upon successful completion. These faculty serve as the instructor of record for dual credit courses and hold the rank of Instructor.

#### **3.3 Tenured**

Those Faculty Members who have attained tenure status as determined by the President. Tenured appointments are normally full-time for the academic year. Based on the policies and procedures for promotion, tenured faculty (who are normally granted promotion after being granted tenure) may be promoted through the ranks listed below.

- Assistant Professor
- Associate Professor
- Professor

#### **3.3.1** Under special circumstances, if requested by a Faculty Member and approved by the President, a full-time tenured appointment may be converted to a part-time or zero FTE tenured appointment for a specified period of time, normally not to exceed one calendar year per occurrence. At the conclusion of the approved period of time or an approved extension thereof, the Faculty Member returns to a full-time tenured appointment unless the Faculty Member chooses not to return to a full-time tenured appointment. Upon such an election, the Faculty Member's employment ceases. This section does not apply to actions associated with phased retirement programs.

#### **3.4 Tenure-Track**

Those Faculty Members who normally have been appointed on a full-time basis and have been designated by the President as being in a tenure-track position and until they have been granted tenure are considered probationary. Based on the policies and procedures for promotion, tenure-track faculty may be promoted through the ranks listed below.

- Assistant Professor
- Associate Professor
- Professor

**3.4.1** Time spent in a part-time tenure-track appointment at least one-half of the contract period is normally not included in the calculation of years of service for the purposes of tenure nor will it result in any de facto award of tenure.

**3.4.2** Under special circumstances, if requested by a Faculty Member through appropriate channels and approved by the Provost, a full-time tenure-track appointment may be converted to a part-time or zero FTE tenure-track appointment for a specified time period, normally not to exceed one calendar year per occurrence. At the conclusion of the approved period or extension thereof, the Faculty Member returns to a full-time tenure-track appointment unless the Faculty Member chooses not to return to a full-time tenure-track appointment. Upon such election, the Faculty Member's employment ceases.

### **3.5 Clinical-Track**

Clinical faculty (or “practice” faculty) must have significant professional work experience outside of higher education practicing their professions. Clinical faculty do not generally teach didactic classroom-based courses; rather, they teach experiential and clinically based courses where students are practicing what they learned in didactic courses in authentic settings with clients or patients. Although not eligible for tenure, clinical faculty have ongoing appointments. Based on the policies and procedures for promotion, clinical faculty may be promoted through the ranks listed below.

- Clinical Instructor
- Clinical Assistant Professor
- Clinical Associate Professor
- Clinical Professor

### **3.6 Librarian-Track**

Librarian faculty are appointed by the President to provide instructional services at Marshall University Libraries. Appointment of librarians will follow the same procedures that are established for appointing all institutional faculty members and appointment to any rank will meet the criteria appropriate to that rank. Although not eligible for tenure, librarian faculty have ongoing appointments and may, based on the nature of their appointment and job duties use the term Librarian following their listed academic rank (except for those ranked as Instructor). Based on the policies and procedures for promotion, librarian faculty may be promoted through the ranks listed below. Their appointment may be full-time equivalent or part-time.

- Instructor / Librarian I
- Assistant Professor / Librarian II
- Associate Professor / Librarian III
- Professor / Librarian IV

### **3.7 Research-Track**

Research Faculty are primarily hired through research-based funding to engage in scholarly activities. They are not eligible for tenure and their appointments are contingent based on research funding. They may do some teaching and/or perform university service. Based on policies and procedures for promotion, research faculty may be promoted through the ranks listed below.

- Research Scholar
- Research Assistant Professor
- Research Associate Professor
- Research Professor

### **3.8 Teaching-Track**

Teaching-Track Faculty are hired for specified terms. An additional contract may be offered at the end of each term. Teaching-Track faculty are hired primarily to teach didactic courses and to perform some university service. Based on policies and procedures for promotion, term faculty may be promoted through the ranks listed below. Those Faculty Members who have been appointed by the President as Teaching-Track Faculty may hold an Academic Rank. The appointment may be full-time or part-time. Based on policies and procedures for promotion, teaching faculty may be promoted through the ranks listed below.

- Instructor
- Senior Instructor
- Assistant Teaching Professor
- Associate Teaching Professor
- Teaching Professor

#### **3.8.1 Limitations on Number of Teaching-Track Faculty**

With the exception of the School of Medicine, full-time appointments to the teaching-track and clinical-track will not exceed thirty percent (30%) of the total number of full-time faculty. The Provost has the authority to grant exceptions to the threshold.

#### **3.8.2 Appointment Length**

Upon appointment to a teaching-track, a Faculty Member may be eligible to receive reappointment (i.e., employment contracts); terms lengths are dependent upon rank and employment contracts may be terminated due to program elimination, strategic realignment, budget constraints, faculty misconduct (cause), or persistent and documented performance issues.

- 3.8.2.1** Rank of Instructor: 3-year term.
- 3.8.2.2** Rank of Senior Instructor: 4-year term.
- 3.8.2.3** Rank of Assistant Teaching Professor: 5-year term.
- 3.8.2.4** Rank of Associated Teaching Professor: 6-year term.
- 3.8.2.5** Rank of Teaching Professor: 7-year term.

### **3.9 Visiting Faculty**

Faculty Members who have been appointed by the President but have not been appointed in a tenure-track, clinical-track, librarian-track, teaching-track, service track or as having tenured status. Appointment of such faculty may be full-time equivalent or part-time.

#### **3.9.1 Reappointment**

The reappointment of visiting-track appointments will not create any presumption of a right to appointment as tenure-track or tenured faculty.

#### **3.9.2 Other non-tenure-track full-time faculty appointments may be used only if one or more of the following conditions prevail:**

**3.9.2.1** The position is funded by a grant, contract, or other source that is not a part of the regular and on-going source of operational funding.

**3.9.2.2** The position is created for the temporary replacement of an individual on sabbatical or other leave of absence. Appointments to such positions are outside tenure-track status, are subject to reappointed annually, and normally may not exceed three years.

**3.9.2.3** The position is created to fill an essential teaching post immediately, pending a permanent appointment through a regular search and screening process. Appointments to such positions are outside tenure-track status, are subject to reappointed annually, and normally may not exceed three years.

**3.9.2.4** The position is temporary to meet transient instructional needs, to maintain sufficient instructional flexibility to respond to changing demand for courses taught, or to meet other institutional needs. The appointee is to be notified at the time of the appointment. Appointments to such positions are outside tenure-track status, are subject to be reappointed annually, and normally may not exceed six years.

**3.9.2.5** The position is a secondary appointment for a person who has a primary appointment as an administrator or to perform other noninstructional duties. Any faculty rank or teaching associate with such a position is considered temporary and may be reappointed on an annual basis. The appointee must be notified in writing of the status of any Academic Rank.

**3.9.3** Appointment to a non-tenure-track full-time faculty position will create no right or expectation of continued appointment beyond the period of appointment.

**3.10** Clinical-track, librarian-track, research-track, teaching-track faculty, and other non-tenure track faculty hold appointments that are not subject to consideration for tenure, regardless of the number, nature, or time accumulated in such appointments. Clinical-track, librarian-track, research-track, teaching-track, and

visiting faculty appointments are only for the periods and for the purposes specified, with no other interest or right obtained by the person appointed by virtue of such appointment. Because the Faculty Member thus appointed is not on the tenure-track, the notice provisions set out in Section 7 below do not apply.

### **3.11 Librarian-Track**

Faculty members appointed as Library Faculty may be full-time or part-time, as specified in their employment letter.

### **3.12 Faculty Appointments – General**

Other appropriate titles which more accurately indicate the nature of a faculty member's position may be used at the discretion of the President in consultation with the Provost and the University Faculty Personnel Committee.

### **3.13 Faculty with Administrative Appointments – General**

Persons assigned full-time or part-time to administrative or staff duties at the University may be appointed to, or may retain, Academic Ranks in addition to any administrative or staff title, following consultation with appropriate academic units. Such persons will be informed in writing at the time of the appointment whether the faculty rank is as a tenured, tenure-track, clinical-track, librarian-track, teaching-track, service-track, or other non-tenure-track member of the faculty. Administrative or staff personnel who are not appointed to a faculty position are not faculty and therefore are not entitled to the protections provided by this policy.

**3.13.1** In addition to their regular administrative duties, each campus administrator who also holds Academic Rank, pursuant to W. Va. Code § 18B-8-6(b), will teach at least one (1) course during each eighteen-month employment period or perform ongoing research or creative activity.

## **4. Faculty Types and Conditions of Appointment**

**4.1** Full-time appointments to the faculty of Marshall University, other than those designated as adjunct, dual-credit, clinical-track, librarian-track, research-track, teaching-track, or other non-tenure-track, will be either tenured or tenure-track.

**4.2** All clinical-track, librarian-track, research-track, teaching-track, and other non-tenure-track appointments, as defined in Section 3 of this Rule, will be neither tenured or tenure-track, but will be appointments only for the periods and for the purposes specified, with no other interest or right obtained by the person appointed by virtue of such appointment.

**4.3** The appointment of a person to a full-time position on any of Marshall's additional locations is made subject to the following conditions:

**4.3.1** A full-time appointee will render full-time service to Marshall. The University

expects its faculty to give full professional effort to assignments of teaching, research/scholarship/creativity, and service. It is, therefore, inappropriate to engage in gainful employment outside the institution that interferes with the Faculty Member's responsibilities at Marshall University or employment that is otherwise incompatible with the Faculty Member's contractual commitment to Marshall University. Moreover, it is inappropriate to use University resources to transact private business. Outside activities which are restricted below in subsection 4.3.3 will not be restricted unless such activities or employment interfere with the adequate performance of institutional duties.

**4.3.2** If outside employment or service is undertaken without express prior approval and if it interferes with the performance of the regular institutional duties and responsibilities of the appointee, the President in consultation with the Provost, has a right to (a) require the appointee to cease such outside employment or service which interferes with institutional duties and responsibilities of the appointee, (b) make such adjustments in the compensation paid to such appointee as are warranted by the appointee's services lost to the University and by the appointee's use of institutional equipment and materials, or (c) dismiss for cause as set out in section 9 below.

**4.3.2.1** If an accrediting body of a Marshall University program requires a faculty member to maintain their professional certifications and/or licenses through employment activities outside of the required Marshall University responsibilities of teaching, research/scholarship/creativity, and service, faculty members will receive up to a 3-credit-hour course release to maintain that certification/licensure and will not see an adjustment to their Marshall University compensation package. Each Academic Unit will develop guidelines for the implementation of this provision, and will submit it to the University Senate Faculty Personnel Committee for approval.

**4.3.2.2** The course-release provided in 4.3.2.1, of this rule, does not apply to faculty members appointed to positions in the School of Medicine.

**4.3.3** The University may permit and encourage a reasonable amount of personal professional activity, such as consulting, by a Faculty Member outside the Faculty Member's duties and responsibilities of employment by and for the University, provided such activity: (1) further develops the Faculty Member professionally, (2) does not interfere with duties and responsibilities to the University, and (3) is undertaken in a manner consistent with the requirements of other applicable Board rules.

**4.4** The Provost will develop a form for faculty to report any outside activities and any associated conflicts of interest. This form will be submitted by faculty annually (when there are outside activities to report) and will be reviewed by the Department Chair / School Director, Dean, and Provost.

**4.5** A faculty member holding a non-tenure-track appointment, including, but not limited to, the Clinical, Research, Librarian, or Teaching Tracks, may be considered for transfer to a tenure-track appointment when such a change aligns with the mission, needs, and long-term priorities of the University and the employing academic unit. Requests for a track change must originate with the faculty member's Department Chair and be endorsed by the faculty member's Dean. The proposed transfer shall undergo formal review through established appointment procedures and must receive written approval from the Provost. A change in track constitutes a new appointment and is subject to the same search process, credentialing, and rank requirements applicable to all tenure-track positions. Upon approval of such a transfer, the Provost, in consultation with the faculty member's Dean and their Department Chair, may determine whether a portion of the faculty member's prior full-time service at Marshall University will be credited toward the tenure-track probationary period.

**4.6** Faculty in tenure-track and tenured positions are generally expected to be available for on-campus activities during their period of appointment, when not on leave and not traveling for university business. Some tenure-track or tenured faculty members may teach exclusively online. In these cases, each Academic Unit will develop a policy for tenure-track and tenured faculty members teaching exclusively online that outlines the expectations for availability to on-campus activities. This policy should be submitted to the University Senate Faculty Personnel Committee for approval.

**4.7** Faculty in positions that are non-tenured and non-tenure-track are generally expected to be available for on-campus activities during their period of appointment, when not on leave and not traveling for university business. In some situations, faculty who exclusively teach online courses may be employed with no expectation of on-campus availability. In these cases, the offer letter will explicitly describe the terms of appointment. If a faculty member is teaching exclusively online for a short period of time, their on-campus availability will be negotiated with their immediate supervisor and academic Dean.

**4.8** Tenure-track faculty appointments are distinct from other faculty tracks (e.g., clinical, research, instructional, or professional practice). Each track serves a separate institutional purpose, is governed by different performance expectations, and follows its own criteria for appointment, evaluation, promotion, and—where applicable—tenure. Accordingly, faculty members appointed to the tenure-track may not transfer to other faculty appointment tracks (e.g., clinical, research, or instruction) after their initial appointment. Exceptions shall not be permitted except in cases of demonstrable institutional need, as determined and initiated by the Provost, Dean, the faculty member's immediate supervisor, and approved through the full faculty appointment process applicable to the new track.

## **5. Faculty Ranks**

Faculty ranks usually include titles such as Instructor, Senior Instructor Assistant Professor, Associate Professor, and Professor, with each rank reflecting a different level of academic achievement, experience, and responsibility. This section defines the criteria and qualifications required for each rank.

## **5.1 Instructor**

The rank of Instructor is an entry-level position in which the primary responsibility is teaching.

**5.1.1** Except as noted below, the rank of Instructor requires that a candidate will have earned at least a master's degree at a university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, in a discipline appropriate to the teaching field.

**5.1.2** In certain special areas in which professional achievement is of unusual importance, or in which personnel holding higher degrees are not available, the bachelor's degree or its equivalent may meet the minimum for the rank of instructor. These exceptions must be approved by the Provost and meet the criteria set forth in UPAA-8.

**5.1.3** A candidate for instructor must show promise as an effective university teacher.

**5.1.4** Teaching-track faculty members in the rank of instructor receive a 3-year employment contract that may be terminated for any reason that is not arbitrary or capricious. Any documented information relating to the decision for non-reappointment or dismissal will be provided promptly to the Faculty Member upon request.

## **5.2 Senior Instructor**

The rank of Senior Instructor represents an advancement in experience from the rank of Instructor. A candidate for Senior Instructor will have earned at least a master's degree at a university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, in a discipline appropriate to the teaching field.

**5.2.1** A candidate for the rank of Senior Instructor must have had at least five complete academic years of experience as a full-time faculty member at a college or university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, or other experience deemed as equivalent by the Dean of the Academic Unit prior to application for promotion. This means that a candidate may apply for promotion in academic rank after completing five complete academic years as Instructor, and successful candidates may be promoted after six full years of experience at that rank.

**5.2.2** A candidate for Senior Instructor must have demonstrated effective university

teaching and service.

**5.2.3** Teaching-track faculty members in the rank of senior instructor receive a 4-year employment contract that may be terminated due to program elimination, strategic realignment, budget constraints, faculty misconduct (cause), or persistent and documented performance issues.

**5.3 Research Scholar**

The rank of Research Scholar is an entry-level Research-Track position assigned to individuals with the qualifications to conduct the projects for which they are hired.

**5.3.1** The rank of Research Scholar requires that a candidate will have earned at least a master's degree at a university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, in a discipline appropriate to the research projects.

**5.4 Assistant Professor**

An Assistant Professor is the lowest rank typically held by faculty members with a terminal degree.

**5.4.1** The rank of Assistant Professor requires that a candidate will have earned a terminal degree at a university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, in a discipline appropriate to the teaching field. University Policy UPAA-8 contains a list of terminal degrees by college and discipline.

**5.4.2** If applying for promotion from a lower rank to the rank of Assistant Professor, a candidate must also have at least five complete academic years of experience as a full-time faculty member at a college or university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, or other experience deemed as equivalent by the promotion policy of the Academic Unit. This means that a candidate may apply for promotion to Assistant Professor after completing five complete academic years at lower ranks and successful candidates may be promoted after completing six complete academic years.

**5.4.3** A candidate applying to the rank of Assistant Professor must have demonstrated professionalism in their duties and must show promise as a professional faculty member in other major areas of responsibility.

**5.5 Associate Professor**

The rank of Associate Professor represents a significant milestone in the career of a faculty member and signifies a higher level of responsibility and recognition within Marshall University and their respective department and Academic Unit. The qualifications for achieving the rank of Associate Professor include a

combination of education, teaching, and research/scholarship/creativity (as defined by each appointing unit), with a regional, national, or international impact outside of Marshall University.

- 5.5.1** A candidate for Associate Professor must have earned a terminal degree at a college or university accredited by a United States Department of Education recognized accreditor or at an appropriately accredited international college or university, in a discipline appropriate to the teaching field. University Policy UPAA-8 contains a list of terminal degrees by college and discipline.
- 5.5.2** A candidate for Associate Professor must have had at least five complete academic years of experience at the rank of Assistant Professor as a full-time faculty member at a college or university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, or other experience deemed as equivalent by the promotion policy of the Academic Unit prior to application for promotion. This means that a candidate may apply for promotion in academic rank during the sixth year as Assistant Professor, and successful candidates may be promoted after six full years of experience at that rank.
- 5.5.3** A candidate must have demonstrated exemplary performance in either Teaching and Advising or in Research, Scholarship and Creative Activities, and professional performance and achievement in all other areas of responsibility. Each Academic Unit will establish definitions of exemplary and professional performance.

## **5.6 Professor**

The rank of Professor represents the highest academic status for tenured faculty at Marshall University and signifies a high level of achievement and expertise in a particular field or discipline. Achieving the rank of Professor typically requires a combination of advanced education, significant excellence in teaching, research/scholarly/creative contributions, and service to the academic community (as defined by each appointing unit) with a national or international impact.

- 5.6.1** A candidate must have earned the terminal degree in a discipline appropriate to the teaching field from a college or university accredited by a United States Department of Education recognized accreditor, or an appropriately accredited international college or university, in a discipline appropriate to the teaching field. University Policy UPAA-8 contains a list of terminal degrees by college and discipline.
- 5.6.2** A candidate for the rank of Professor must have had at least five complete academic years of experience in the rank of Associate Professor at a regionally accredited college or university accredited by a United States Department of Education recognized, or at an appropriately accredited international college or university, or other experience deemed as equivalent by the Dean of the

Academic Unit prior to application for promotion. This means that a candidate may apply for promotion in academic rank during the sixth year as Associate Professor, and successful candidates may be promoted after six full years of experience at that rank.

**5.6.3** A candidate must have demonstrated exemplary performance in two of the three major areas, and professional achievement in the other area of responsibility. Each Academic Unit will establish definitions of exemplary and professional performance.

## **6. Promotion in Academic Rank**

This section details the process and criteria for faculty to advance in academic rank. It includes the evaluation of teaching effectiveness, research/scholarly/creative contributions, service to the institution, and professional development. Tenure and Promotion are separate and so promotion in rank does not constitute awarding of tenure.

Promotion in rank is a reward for meritorious professional achievement. It is based on the professional qualifications of a faculty member, including performance specific to the candidate's contractual responsibilities and duties while employed at Marshall University. Faculty ranks determine the major area or areas of responsibility. The major areas of faculty responsibility evaluated in a promotion application are:

- Teaching and Advising
- Research, Scholarship, and Creative Activities
- Service and Professional Development

### **6.1 Annual Consideration for Promotion**

All persons in tracks other than Adjunct-Instructor Track, Dual-Credit Instructor-Track, or Other-Non-Tenured Track who hold the rank of Instructor, Senior Instructor, Assistant Professor, or Associate Professor, with teaching responsibilities, as defined by the academic unit, and who are employed full-time are entitled to annual consideration for promotion to a higher rank, provided that they have met the criteria for minimal levels of educational attainment and years of faculty experience outlined in this policy.

### **6.2 Promotion and Tenure**

For tenure-track faculty, if promotion and tenure are applied for on the same schedule, the final tenure decision will be made before the final promotion decision; failure to be granted tenure will result in a negative promotion decision. Tenure-track faculty members may not be promoted before they are awarded tenure, but may be promoted at the same time they receive tenure.

**6.2.1** Full-time faculty members not on the tenure track are exempt from the requirement in 6.2 of this policy.

**6.3 Clinical-track, Librarian-track, Research-track, and Teaching-track**

For faculty who are classified as clinical-track, librarian-track, research-track, or teaching-track, and who are neither tenured nor on the tenure-track, each Academic Unit will develop separate promotion criteria and procedures for those faculty, in consultation with the relevant Chair(s), Director(s), and Dean(s). These criteria and procedures must be approved by the University Senate Faculty Personnel Committee and Provost.

**6.4 Established Guidelines**

Within the following framework, the University will establish, in cooperation with the Faculty or duly-elected representatives of the Faculty, guidelines and criteria for promotion in Academic Rank, such guidelines to be in conformity with guidelines established by this policy and approved by the Faculty Personnel Committee and Provost.

**6.4.1** There will be demonstrated evidence that promotion is based upon a wide range of criteria, established by the applicable Academic Unit in accordance with this document, and appropriate to the mission of the unit.

**6.4.2** There will be demonstrated evidence that, in the process of making evaluations for promotions, there is participation from several different groups, including but not limited to peers from within and without the Academic Unit of the faculty member, and supervisory administrative personnel such as the faculty member's Chair and Dean.

**6.4.3** There will be no practice of granting promotion routinely or solely because of length of service, or of denying promotion capriciously.

**6.4.4** The University will provide copies of the guidelines and criteria for promotion (approved by the University Faculty Personnel Committee and Faculty Senate) to the Board of Governors and will make available such guidelines and criteria to its Faculty.

**6.4.5** Promotion will not be granted automatically, but will result from action by the President, following consultation with the appropriate academic units.

**6.5 Criteria & Areas of Responsibility**

The specific categories in which faculty are evaluated for promotion include the following:

**6.5.1 Teaching and Advising (if applicable)**

Teaching and Advising responsibilities and duties may include, but are not limited to: command of disciplinary knowledge, skills, and methodology; effectiveness of classroom performance; advising load and effectiveness of academic advising; effectiveness in assessing student learning; rapport with students and academic colleagues; contributions to curricular development, including development,

promotion and delivery of off- campus academic programs, either through electronic means or conventional travel to off-campus course locations; and instructional development of faculty colleagues. Student course evaluations may not be used for evidence of teaching effectiveness.

#### **6.5.2 Research, Scholarship, and Creative Activities (if applicable)**

Research, Scholarship, and Creative Activities responsibilities and duties may include, but are not limited to: number, quality and importance of publications and creative productions; memberships and contributions to professional societies; professional growth and development; scholarly presentations and creative performances; grants and other external funding; adherence to the ethical and legal standards of scientific or creative inquiry; and contributions to the professional development and achievement of colleagues.

#### **6.5.3 Service and Professional Development (if applicable)**

Service and Professional Development responsibilities and duties may include, but are not limited to: contributions within the department, within the Academic Unit or university-wide; contributions to official student organizations or other university- related organizations; other work on behalf of the student body, faculty, staff or administration of the university. Service to the community includes, but is not limited to: service on a compensated or pro-bono basis to governments, to educational, business or civic organizations, or to the public; involvement as an official representative of Marshall University, or units thereof, in activities of governments and of educational, business, or civic organizations.

#### **6.5.4 Academic Unit Criteria**

Individual Academic Units are responsible for establishing promotion criteria and procedures for each academic rank. These criteria include the relative weight and impact of the various responsibilities and duties. Individual Academic Units must establish quantifiable rubrics for each criterion to which promotion decisions are based. Such criteria and procedures must be in accordance with this policy and with policy UPAA-20, "Faculty Workload Policy".

### **6.6 Promotion Year Eligibility**

The year in which a faculty member is eligible for promotion will be an explicit and written part of that faculty member's initial offer letter of employment, which is available upon request from the Office of Academic Affairs.

#### **6.6.1** Negotiated time consideration for promotion must be specifically documented in the initial offer letter, which must be included in the promotion application. In general, for faculty applying from outside of Marshall University, the limit on years awarded towards tenure will be no more than three, and no more than one fewer than the number of years the candidate has served in a tenure-track position at a comparable institution.

#### **6.6.2** In cases of extraordinary faculty member accomplishments, or the documented

promise of extraordinary faculty member accomplishments, or the needs of the Academic Unit, that date for promotion and/or tenure application can be renegotiated, and promotion and/or tenure applied for at the renegotiated time. The faculty member, the Department Chair / School Director, or the Dean of the faculty member's Academic Unit may initiate the renegotiation. Any renegotiated date must be approved by the Provost. Faculty will be notified of any change in date by the Provost or designee via email with read receipt by February 1 of the Spring Semester before they are eligible for promotion. The faculty member's Department Chair / School Director, Associate Dean and Dean will be copied on this notification.

#### **6.7 Written Guidelines**

Each Academic Unit and department will develop written guidelines outlining procedures and performance criteria for promotion. Marshall University Board of Governor's rules (MUBOG), including but not limited this current rule, and University Policy UP-AA-20, Faculty Workload. Academic Unit promotion guidelines must be approved by the Academic Unit's faculty, in consultation with the Academic Dean. Department promotion guidelines must be approved by the Dean. Academic Unit and Department / School promotion guidelines must be approved by the University Faculty Senate's Faculty Personnel Committee and the Provost.

#### **6.8 Promotion Initiation**

Normally, a faculty member is responsible for initiating their application for promotion. However, a department Chair or a department promotion committee may initiate a proposal for the promotion of any member of the department. Proposals for the promotion of a Department Chair may be initiated by himself or herself, by a department/division committee or by the Dean of the Academic Unit.

#### **6.9 Promotion Review Process and Timeline**

The review process of a promotion application will follow the procedure and timeline specified in this Rule.

#### **6.10 Grievances**

A faculty member denied a promotion may utilize the grievance procedures set out in West Virginia Code §§ 6C-2-1 et seq.

### **7. Tenure**

Tenure is designed to ensure academic freedom and to provide professional stability for an experienced faculty member. It is a means of protection against the capricious dismissal of an individual who has served faithfully and well in the academic community. Continuous self-evaluation, as well as regular evaluation by peer and administrative personnel, is essential to the viability of the tenure system.

#### **7.1 Tenure should never be permitted to mask irresponsibility, mediocrity, or**

deliberate refusal to meet academic requirements or professional duties and responsibilities.

- 7.2** Tenure is a means of making the profession attractive to persons of ability. There will be demonstrated evidence that tenure is based upon a wide range of criteria, established by the applicable Academic Unit in conformance with this Rule and appropriate to the mission of Marshall University and its respective academic units.
- 7.3** Ultimate authority regarding the application this Rule will rest with the President. In making tenure decisions, careful consideration will be given to the tenure profile of the University, projected enrollment patterns, staffing needs, current and projected mission of each department, specific academic competence of the Faculty Member, and preservation of opportunities for infusion of new talent.
- 7.4** Tenure is awarded not only for past achievements but also in anticipation of continued achievement in all areas of responsibility.
- 7.5** Unless a full-time faculty member hired into a tenure-track faculty line is granted tenure upon hire, the appointment will be probationary.

## **7.6 Tenure Upon Hire**

In some circumstances Marshall University allows tenure to be awarded at the time of hire for established scholars who meet the Institution's standards. There are two distinct groups for which this policy applies:

- Faculty who have previously held tenure at Marshall and who are being hired at Marshall University in an administrative role (e.g., Provost/Vice Provost, Dean/Associate Dean, Chair, and similar positions). These staff may be hired with the tenure that they already possess at Marshall.
- Individuals who have held tenure at another institution and are being hired as faculty or administrators. The remainder of this section describes the process for hiring these individuals with tenure at Marshall.

- 7.6.1** The review process for tenure upon hire will be expedited and run concurrently with the interviewing process, and committees will make their decisions independently. For a candidate to receive tenure upon hire, the department committee, Department Chair / School Director, and Academic Unit committee must all make affirmative recommendations to the Dean and Provost. To be eligible for tenure upon hire, a candidate must hold the rank of at least Associate Professor (or equivalent) or higher.

### **7.6.2 Tenure Upon Hire Process**

- 7.6.2.1** As part of the staffing decision process and prior to commencing searches

Deans (upon recommendations for Department Chair / School Director) will submit recommendations that specific lines to be designated as "immediate tenure eligible" positions. Upon approval from the President or their designee, the Provost will designate the approved new hire faculty position or combined faculty/administrative position as "immediate tenure eligible."

- 7.6.2.2** For administrative searches where there will be a concurrent faculty appointment, the decision to designate the search as "immediate tenure eligible" will be made by the President following consultation with relevant Cabinet members and other administrators.
- 7.6.2.3** As part of the search process, the position designated as "immediate tenure eligible" will be advertised as such. Candidates will be notified of the conditions that need to be met to be eligible for tenure upon hire (i.e., submission of required documents to the search committee chair who will initiate the process with the reviewing constituencies) once the process is initiated, the Department Chair / School Director, department promotion and tenure committee, and Academic Unit committee will have one week to make their recommendation.
- 7.6.2.4** If the "immediate tenure eligible" position is for a combined faculty/administrative position, during the on-campus interview process finalists for this position will be scheduled for a one-hour interview with the academic department in which the administrator would have a concurrent faculty appointment.
- 7.6.2.5** Upon completion of the search and selection of the new hire, the Provost will review the recommendations received from the Department Chair / School Director, department promotion and tenure committee, and Academic Unit promotion and tenure committee and make a final determination of tenure upon hire. The Provost or their designee must consider these recommendations but is not bound by them. The written recommendations (including the Provost's recommendation) must accompany any recommendation for immediate tenure made by the President or designee to the Board but the failure of any of these bodies to make such a recommendation will not preclude the completion of the process to recommend tenure upon hire
- 7.6.2.6** Following consultation with the Provost, the President will make the determination whether to award tenure to the candidate upon hire.

## **7.7 Requirements for Tenure**

Tenure will not be granted automatically, or for years of service, but will result from a process of peer review and culminate in action by the President. The granting of tenure will be based on the following:

**7.7.1** The candidate is professionally qualified.

**7.7.2** The university has a continuing need for a faculty member with the qualifications and competencies of the candidate.

**7.7.3** The professional qualifications of a candidate for tenure will be evaluated using the guidelines pertaining to promotion as described in Marshall University Board of Governors rule AA-6, Faculty Ranks.

**7.7.4** The candidate must have demonstrated professional performance and achievement in all of their major areas of responsibility. Major categories of faculty responsibilities and duties are:

- Teaching and Advising
- Research, Scholarship, and Creative Activities
- Service and Professional Development

**7.7.5** The candidate must have demonstrated exemplary performance in either Teaching and Advising or in Research, Scholarship and Creative Activities. Major attention will be given to the quality and caliber of professional accomplishments and to the future promise as an educator, scholar, and/ or artist.

**7.7.6** Tenure may be granted only to probationary faculty who hold the rank of Assistant Professor or above and are classified as tenure-track.

**7.8** Tenure-track (probationary) faculty members must be granted tenure before they are eligible for consideration of promotion in academic rank. If promotion and tenure are applied for on the same schedule, the final tenure decision will be made before the final promotion decision. Failure to be granted tenure will result in a negative promotion decision.

**7.9** **Probationary Period “Tenure Clock” and Annual Reappointments**  
The maximum period of probation at Marshall University is seven years. Before completing the sixth year of a probationary appointment, a non-tenured faculty member will be given written notice of tenure or will be offered a one-year terminal contract of employment for the seventh year. In exceptional cases, newly appointed faculty members may negotiate the use of prior service at other appropriately accredited higher education institutions to reduce the length of the probationary period; denial of tenure under such circumstances will have the same effect as denial of tenure following the standard probationary period.

**7.9.1** The length of the probationary period must be established at the time of initial employment by the President, after consultation with the Provost and the appropriate Dean(s), Chair(s) and department faculty and be included in the initial letter of appointment. See University Policy UPA-21, “Modified Duties for Nine-Month Faculty” for circumstances leading to an extension of the

probationary period.

**7.9.2** If the status of a faculty member changes from non-tenure-track to probationary, the time spent at the Marshall University may, at the discretion of the President, in consultation with the Provost, be counted as part of the probationary period. The original hiring agreement must inform the faculty member being employed for a tenure-track position of the option of requesting that their temporary service be counted toward tenure. A probationary faculty member wishing to count years on a temporary appointment as part of the probationary period must make this request at the time of initial appointment to a tenure-track position. If the option is exercised, the faculty member must be cautioned that their years of temporary service will be evaluated by the same criteria as tenure-track service. The request will be initiated through the Department Chair / School Director and will proceed through appropriate channels. Requests made after this time will be denied. If no request is made, the years of the temporary appointment will not be counted as part of the probationary period.

**7.9.2.1** This provision only applies to non-tenure track faculty at Marshall University. Non-tenure track positions held at institutions other than Marshall University, will no count towards a faculty members probationary period at the institution.

**7.9.3** If a probationary faculty member previously held a full-time non-faculty position, service in the non-faculty position may not be credited towards tenure.

**7.9.4** During the tenure-track period, the terms and conditions of every reappointment will be stated in writing, with a copy of the agreement furnished to the individual concerned.

**7.9.5** Faculty appointed at times other than the beginning of the academic year may choose to have those periods of appointment equal to or greater than half an academic year considered as a full year of the tenure-track period. Such decision must be made by the end of the fiscal year in which the appointment begins, and is subject to approval by the Provost.

**7.9.6** Tenure-track appointments for less than half an academic year may not be counted as part of the tenure-track period.

**7.9.7** Unless demonstrated extraordinary circumstances prevent an application during the Critical Year of a faculty appointment, the person who chooses not to apply will not be considered for tenure and will be offered a succeeding one-year terminal contract of appointment. The University Faculty Personnel Committee will determine if a Faculty Member has demonstrated extraordinary circumstances preventing them from applying during their Critical Year.

**7.9.8** During the probationary period, notices of non-reappointment may be issued for any reason that is not arbitrary or capricious. Any documented information

relating to the decision for non-reappointment or dismissal will be provided promptly to the Faculty Member upon request.

**7.9.9** After the decision regarding reappointment or non-reappointment for the following academic year has been made by the President, a probationary Faculty Member will be notified in writing of the decision by letter post-marked and mailed at least one year before the expiration of an appointment. The appointment during the terminal year will be converted a fixed-term, non-tenure-track position.

**7.9.10** After the decision regarding reappointment or, pursuant to W. Va. Code §18B-8-5, non-reappointment for the following academic year has been made by the President, the tenure-track Faculty Member may be notified in writing of the decision by letter post-marked and mailed no later than March 1, which will be sent via "Certified Mail-Return Receipt Requested;" First Class mail; and electronic mail with read receipt.

## **7.10 Notifications for Probationary Faculty**

### **7.10.1 Initial Notification**

During the first term of the appointment, the Department Chair / School Director will notify in writing each probationary faculty member of the requirements and guidelines for tenure, including any which apply specifically within the faculty member's department. The faculty member will acknowledge in writing receipt of this notification. Lack of acknowledgment is not grounds for dismissal, nor is it reason for appealing a denial of tenure.

### **7.10.2 Annual Notification**

All probationary faculty members must be notified annually in writing by their Dean of their progress toward tenure and/or promotion. Notifications will identify specific areas of improvement needed for tenure or promotion, if any (SR-04-05-(37) 94 FECAHC).

### **7.10.3 Notification before Critical Year**

All probationary faculty members will be notified by the Dean via email with read receipt by February 1 of the Spring Semester before they are eligible to apply for tenure in the following academic year. The Department Chair / School Director will be copied on this notification.

## **7.11 Tenure Evaluation and Application**

**7.11.1** Each department and Academic Unit will develop written procedures and performance criteria (including quantifiable rubrics) for implementing the tenure requirements outlined in this Rule. Department and Academic Unit tenure procedures and criteria must be approved by the relevant Dean in consultation with the faculty and approved for consistency with university policies by the

Faculty Senate's University Faculty Personnel Committee and the Provost.

- 7.11.2** Academic Unit tenure guidelines include guidelines to include provisions for external reviews as described in this Rule.
- 7.11.3** All tenure-track faculty members will be evaluated by the criteria used for promotion and tenure in their Academic Unit and department via a pre-tenure review. The date of this pre-tenure review must be stated in the initial letter of appointment. An Academic Unit may establish pre-tenure review procedures which vary from those used for a tenure application. The results of this evaluation will be part of any application for tenure. An exceptional evaluation, i.e., the results of which exceed normal expectations as defined by a faculty member's Academic Unit and department tenure guidelines, when verified by the relevant Dean and the Provost, will result in a salary increase as specified in UPAA-15, Faculty Salary Increases.
- 7.11.4** Each faculty member will have the primary responsibility for initiating their application for tenure. However, the Department/ Chair / School Director or department committee may initiate a recommendation for tenure.
- 7.11.5** Unless demonstrated extraordinary circumstances prevent an application for tenure during the Critical Year of a probationary faculty appointment, the person who chooses not to apply will not be considered for tenure and will be offered a succeeding one-year terminal contract of appointment.

#### **7.12 Tenure Review Process and Timeline**

The review process of a tenure application will follow the procedure and timeline specified in this Rule.

#### **7.13 Grievances**

A faculty member denied a tenure may utilize the grievance procedures set out in West Virginia Code §§ 6C-2-1 et seq.

#### **7.14 Pausing the “Tenure Clock” Probationary Period Extension**

Probationary tenure-track faculty members may request an extension of their probationary period \*tenure-clock\* for extraordinary circumstances.

- 7.14.1** A one-year extension of the probationary period will be granted by the Provost upon request of a probationary faculty member who (1) has or shares primary responsibility for the care of an infant or a newly-adopted child under age five, and who must commit substantial portions of time to this care; (2) faces similar responsibilities associated with a serious health condition of another person; or (3) has a serious health condition. This extension may be granted whether or not sick leave, personal leave, or family and medical leave has been taken. Written requests for such extensions must be made within six months of the event necessitating the request.

**7.14.2** There may be other circumstances that require substantial amounts of time or produce excessive stress that would justify extending the probationary period for one year. Examples of such circumstances include (but are not limited to) the disruption of research facilities or the interruption of research for foreign teaching assignments. In such cases, the probationary faculty member may apply in writing to the Provost, who in consultation with the Faculty Personnel Committee will determine whether such an extension should be granted. Any such request for an extension must be made within six months of the occurrence of the circumstance.

**7.14.3** There is normally a limit of one such extension of any type during the probationary period. A person may, however, request a second extension through the Provost..

**7.14.4** The maximum number of years of extensions to the probationary period is two, unless the faculty member is called to active military duty.

**7.14.4.1** Faculty members called to active military duty probationary periods will be extended while on active duty in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

**7.14.4.2** This process may be initiated by the faculty member, their immediate supervisor, or their Academic Dean.

## **8. Procedure and Timeline for P/T Application Review**

This section lays out the specific steps and timeline used to review an application for promotion and/or tenure.

### **8.1 Deadlines on Business Days**

If the date specified for a deadline in this section does not fall on a Business Day, the deadline shall be the next Business Day after the specified date.

**8.2** No person, including the applicant, may present information orally to any reviewing person or committee; any such information must be in written form.

**8.3** A candidate for tenure or promotion must recuse from considering their own application on any departmental or Academic Unit Promotion and Tenure Committee. If a Department Chair / School Director applies for tenure or promotion, the Dean will select an alternate Department Chair / School Director to evaluate the application.

### **8.4 Simultaneous Application for Promotion and Tenure**

In some cases, a candidate may be entitled to apply for tenure and promotion simultaneously. These simultaneous applications follow the same process and timeline and share the same application packet. However, the decision regarding

tenure at each level of review must be made before the decision regarding promotion is made.

**8.5 Withdrawal of Promotion/Tenure Applications**

A faculty member may withdraw their application for promotion and/or tenure at any time during the application process prior to **April 20**. A candidate who has applied for both promotion and tenure may withdraw the application for tenure, the application for promotion, or both. The request to withdraw an application must be made in writing to the faculty member's Dean and Provost via email with read receipt.

**8.6 P/T Coordinator**

Each Academic Unit will establish a P/T Coordinator who will be responsible for organizing the digital storage structure for application materials and assisting candidates prior to the submission of their packet. The P/T Coordinator will coordinate with the Department Chairs / School Directors and committees at all levels to ensure the appropriate security protocols are in place and the appropriate access to materials is granted to the required parties.

**8.7 Summary of the P/T timeline**

See Appendix 1 for a table summarizing the promotion / tenure timeline.

**8.8 Letter of Intent**

No later than February 28 prior to the year a candidate for tenure intends to submit an application for tenure and/or promotion, the candidate for tenure/ promotion will submit a letter of intent via email with read receipt to their Department Chair / School Director indicating they plan to go up for tenure / promotion in the following academic year. This letter of intent will then initiate the external review process (if applicable). The letter also allows the Chair to ensure that a Promotion and Tenure Committee is established, and a Committee Chair is elected for the following academic year. Upon receipt of the letter of intent, the Department Chair / School Director will forward the letter of intent on the candidate's Dean who will record this information in order to prepare for the process that will occur the next academic year.

**8.9** Candidates should expect to work on their application and packet for tenure/promotion in the Spring and Summer Semesters prior to the year they plan to apply for promotion. By August 15 in the academic year in which the candidate applies for tenure / promotion, the candidate will submit an application and promotion / tenure packet using the procedures developed by each Academic Unit. The Department Chair / School Director will confirm receipt of the promotion / tenure packet via email with a read receipt. Once the Department Chair / School Director has received the candidate's packet, no additional material may be added by the candidate, except those items noted below.

**8.10** The Department Chair / School Director will follow the steps outlined in the

External Review Process of this Rule, if applicable. Once that process is completed (by October 15) the Department Chair / School Director will forward the promotion and all materials relevant to their promotion / tenure application process to the appropriate department/school Promotion and Tenure Committee by October 20.

- 8.11** The Department / School Promotion and Tenure Committee will meet at their earliest convenience and review the candidate's materials using evaluation procedures and criteria which have been previously established by departmental by-laws and procedures. The committee will prepare a written recommendation with respect to the qualifications of the candidate for tenure and the Committee Chair submit it to the Department Chair / School Director by November 20 via procedures established for each Academic Unit.
- 8.12** Regardless of the outcome, within five days after receiving the committee's recommendation, the Department Chair / School Director will notify the candidate of the Department / School Promotion and Tenure Committee's recommendation, along with rationale, via email with a read receipt.
- 8.13** The Department Chair / School Director will review the candidate's packet, as well as the department / school Promotion & Tenure Committee's recommendations, and external review letters and evaluate the candidate's materials using the evaluation procedures and criteria established by departmental bylaws and procedures. The Department Chair / School Director will then prepare a written recommendation either in support or opposition to the candidate's application for tenure. The Department Chair / School Director will have their final recommendation completed by December 15.
- 8.14** Regardless of the outcome, the Department Chair / School Director will notify the candidate of their recommendation, along with rationale, via email with a read receipt by December 20.
- 8.15** If the candidate received a negative recommendation from their Department / School P/T Committee or Department Chair / School Director, they may provide a written response no later than January 3. This response may include a written rationale and written evidence to support their response. Evidence is limited to the specifics of the negative recommendation. The response and evidence (if applicable) will be sent via email with read receipt to their Department Chair / School Director. The candidate's response and additional evidence will be included in the candidate's packet under a folder titled "Responses to Internal Recommendations" and may or may not be used at subsequent steps in the evaluation process. No items other than recommendations / responses, except those outlined below, may be added or deleted from the application after this point.
- 8.16** After receiving the candidate's response to the evaluation (if applicable) the

Department Chair / School Director will forward the candidate's application packet, all supporting materials, along with all recommendations, candidate responses (if applicable), external review letters to the candidate's Academic Unit P/T Coordinator by January 6.

- 8.17** The P/T Coordinator will submit all applications and recommendations to the appropriate Academic Unit Promotion and Tenure committee by January 8.
- 8.18** The P/T Coordinator will notify the Dean that all materials are ready for the Academic Unit Promotion and Tenure Committee by January 9.
- 8.19** The Academic Unit Promotion and Tenure Committee will meet at their earliest convenience and review the candidate's materials using evaluation procedures and criteria established by departmental bylaws and procedures. Academic Unit Promotion and Tenure Committees must have representation from each department of the Academic Unit unless a department or has an insufficient number of available tenured faculty members. The committee will evaluate each candidate for tenure, based on established promotion / tenure criteria, evaluation procedures and rubrics established by the bylaws of the Academic Unit. Committees will review applications materials provided by the P/T Coordinator and submit a written recommendation for each candidate, along with all materials received, and Committee Chairs will submit using the submission procedures established by each Academic Unit by February 15.
- 8.20** Regardless of the outcome, the P/T Coordinator will notify the Candidate's Department Chair of the Academic Unit Promotion and Tenure Committee's recommendation, along with rationale, via email with a read receipt by February 16.
- 8.21** The candidate's Department Chair / School Director will notify the candidate of the Academic Unit Promotion and Tenure Committee's recommendation, along with rationale, via email with a read receipt by February 21.
- 8.22** No later than February 16, the Academic Unit P/T Coordinator will notify the Dean that the candidate's packet is ready for review. The Dean will review the candidate's packet, as well as the department / school Promotion & Tenure Committee's recommendations, the Department Chair / School Director's recommendations, the Academic Unit Promotion and Tenure Committee recommendations, external review letters, and the candidate's responses to recommendations (if applicable) and evaluate the candidate's materials using evaluation procedures, rubrics and evaluation criteria which have been previously established by departmental by-laws and procedures. The Dean will then prepare a written recommendation either in support or opposition to the candidate's application for tenure. The Dean will file this recommendation in the candidate's electronic tenure package by March 10.

- 8.23** The Dean will notify the candidate's Department Chair / School Director of the Dean's recommendations along with rationale, via email with read receipt by March 10.
- 8.24** The Candidate's Department Chair / School Director will notify the candidate of the Dean's recommendation, along with rationale, by March 15 via email with read receipt.
- 8.25** If the candidate received a negative recommendation from their Academic Unit P/T Committee or the Dean, they may provide a written response to that recommendation by March 25. The response may include a rationale and written evidence to support their response. The response and evidence (if applicable) will be sent via email with read receipt to their Department Chair / School Director. The candidate's response and additional evidence will be included in the candidate's packet under a folder titled "Responses to Internal Recommendations" and may or may not be used at subsequent steps in the evaluation process. No items other than recommendations / responses, except those outlined below, may be added or deleted from the application after this point.
- 8.26** After receiving the candidate's response to the evaluation (if applicable) the Department Chair / School Director will notify the Academic Unit P/T Coordinator that the response has been added to the candidate's digital files and that is ready for the Provost's review by March 26.
- 8.27** The Academic Unit P/T Coordinator will verify receipt of response and notify the Provost's office that the candidate's P/T materials are ready for review by March 27.
- 8.28** The Provost will prepare a written recommendation for each candidate and submit it together with all of the recommendations and application materials received from the Deans to the President by April 20.
- 8.29** The Promotion and/or Tenure decision will result from action by the President at the conclusion of the Tenure process. The President or designee will prepare a list of those granted Promotion and/or Tenure and send an informational copy to the Chairperson of the University Faculty Senate and Chairperson of the Faculty Personnel Committee by April 30 via email with read receipt.
- 8.30** The President will inform all candidates for Promotion and/or Tenure by written letter and via email with read receipt of their decision by April 30 An applicant denied tenure will be provided a statement of reasons for the action by this date.
- 8.31** Once all notifications have been sent out, all application materials, including internal recommendations will be released (unlocked) to each candidate at the

end of the tenure process. The Provost or designee may retain a copy of all application materials for archival purposes. All application materials and promotion decisions and deliberations will be considered confidential except for circumstances in which a legal “need-to-know” basis has been established. External reviews of a candidate’s application will only be released to the candidate in the case of a legal “need-to-know” and following a written request from the candidate to the Provost.

**8.32** The entire tenure/promotion review process must conclude no later than April 30.

## **9. External Review**

The purpose of using external reviews as a part of the promotion and tenure process is to advise the university on the broader impact and value of a faculty member’s research/scholarly/creative productivity to the discipline. Marshall University uses external reviews to confirm the significance of results arising from the scholarly efforts of a faculty member, but external reviews are not intended to be the sole conclusive elements of a promotion and tenure review. One of the chief purposes of promotion and tenure is to ensure that the university is making progress towards its strategic goals and aspirations, which cannot occur unless advice is continually solicited from those who represent aspirant institutions. External reviewers will evaluate only the candidates’ scholarly achievements and contributions, and no other part of the promotion / tenure packet are subject to external review.

### **9.1 Applicability**

External review is only applicable to tenured, probationary, and research-track faculty who are claiming the level of “exemplary” in the area of research/scholarship/creativity in their tenure or promotion application.

### **9.2 Deadlines on Business Days**

If the date specified for a deadline in this section does not fall on a Business Day, the deadline shall be the next Business Day after the specified date.

### **9.3 Independent Reviewers**

Independent external reviewers are experts in the candidate’s discipline, sub-field or area, who are not past mentors, dissertation advisors or frequent or current (within last 5 years) collaborators, who also do not have a personal or financial relationship with the candidate. Individuals who have worked closely with a candidate will not be considered independent if questions may reasonably arise about whether they can provide an unbiased assessment of the candidate’s achievements.

**9.4** For promotion from Assistant Professor to Associate Professor and for tenure applications, no fewer than two (2), and typically no more than five (5) letters from independent external reviewers will be solicited. For promotion from

Associate Professor to full professor, no fewer than four (4), and typically no more than seven (7), letters will be solicited. When a invited reviewer declines to provide a review, an additional review may be solicited at the discretion of the university. If fewer letters are received than the desired number, the review will go forward with the letters that are received.

- 9.5** External evaluations may also be solicited from external reviewers who are not independent of the candidate. These letters will be treated as letters of support rather than independent reviews. For example, a letter may be solicited from the candidate's thesis or dissertation advisor. The number of letters of support solicited will not exceed the number of independent reviews solicited.
- 9.6** All external evaluations that are solicited, including independent reviews and letters of support, will be included in the candidate's packet provided the evaluations are received before the deadline established by this Rule.
- 9.6.1** External reviewers must hold rank and tenure status equivalent or higher than the level for which the candidate is applying, and be currently active researchers, scholars or artists, or emerging leaders in the field. Reviewers not affiliated with an academic institution (for example, researchers at a national laboratory) must have rank and experience commensurate with that for which the candidate is applying.
- 9.6.2** External reviewers should be affiliated with a department or institution that is a peer or aspirant for the department of the faculty candidate, for example, from Carnegie R1 or R2 or AAU institutions (including medical school colleague institutions as warranted), or with a non-academic institution of national or international impact.
- 9.6.3** The Department Chair / School Director will document all reviewer nominations and the selection process on the required Worksheet for External Evaluators, which will be approved by the Dean and included in the candidate's dossier.
- 9.6.4** The candidate, in consultation with their Department Chair / School Director, will propose a list of potential external reviewers including both independent reviewers and letters of support. The Department Chair / School Director, in consultation with the department Promotion / Tenure committee, will select reviewers from the proposed list.
- 9.6.4.1** The list should include a sufficient number of potential reviewers to yield at least the desired number of independent evaluation letters required to advance the dossier for consideration. The Department Chair / School Director is responsible for properly managing this process and ensuring a sufficient number is achieved to advance the dossier, as required, and will seek well in advance assistance from the Dean to remedy any challenges such as an insufficient number of reviewers.

**9.6.4.2** Academic Unit Deans or designees will conduct a check-in with the Department Chair / School Director in early April of the spring semester prior to the candidate's application for promotion and/or tenure to see if any assistance is needed in securing the sufficient number of evaluation letters.

**9.6.4.3** Each department should develop specific written guidelines for soliciting suggestions for reviewers and work to ensure the integrity of the process. That process will include:

- Consideration of names suggested by the candidate;
- Consideration of names proposed by senior faculty and Department Tenure / Promotion Committee members in the same general field as the faculty candidate; and,
- Identification of those nominated reviewers identified by the faculty candidate who are unsuitable due to a real or perceived conflict of interest;
- Construction of the total list of reviewers that includes names suggested by the faculty candidate, as well as those that are not suggested by the candidate (no more than half are expected to be from the candidate).

## **9.7 External Review Process**

**9.7.1** The timeline for this process is laid out in Appendix 1.

**9.7.2** By March 1 of the spring prior to the promotion and tenure review (after receiving promotion eligibility notification) the Department Chair / School Director will solicit suggestions via email with read receipt of potential reviewers from the faculty candidate, the Department Tenure and Promotion Committee, and senior faculty in the same general sub-field as the candidate. Suggestions of external reviewers will be sent via email with read receipt to the Department Chair / School Director and include a short (1 paragraph) rationale of why this reviewer is a good choice to participate in the candidate's external review. The Department Chair / School Director will record potential external reviewers and rationale on the Required External Reviewer Worksheet (see Appendix 2). Nominations must be received by April 30 prior to the fall in which the candidate will submit their application for promotion and/or tenure.

**9.7.3** The Department Chair / School Director reviews the nominations via an External Review Worksheet for real or perceived conflicts of interest, and if noted, checks the "no" box in the "Independent Column". If the Department Chair / School Director elects to proceed with soliciting a review from a reviewer that has a potential conflict of interest (either real or perceived), their review will be considered a letter of support.

**9.7.4** The Department Chair / School Director will contact prospective reviewers to ascertain their availability to provide a review and notes the response on the

External Review Worksheet. This will be completed by May 15 in the spring semester prior to the candidate's review.

**9.7.5** If the list of potential reviewers solicited by the Department Chair / School Director does not yield a sufficient number of independent reviewers, the Department Chair / School Director should consult with the Dean for assistance in securing additional acceptable reviewers. They may reach out to the faculty candidate, the Department Promotion and Tenure Committee and the senior faculty in the same general sub-field as the candidate for this assistance.

**9.7.6** The list of reviewers will be sent to the candidate via email no later than May 15. If the candidate feels that one or more of the selected reviewers has a conflict of interest, bias that materially affects the review, or is otherwise unsuitable as a reviewer, the candidate may appeal to the Dean in writing within 5 Business Days of receiving the list of reviewers. Upon receiving an appeal, the Dean will decide, within 5 Business Days, whether to remove the disputed reviewers from the list. If any reviewers are removed, the Department Chair / School Director will propose replacement reviewers, who may also be appealed by the candidate.

**9.7.7** The finalized list of external reviewers will be completed no later than June 1 prior to the fall semester in which the external review will be conducted. By June 10, the Department Chair / School Director will inform the reviewers of the review time (see Appendix 1) and let them know that they will forward the application packet, including relevant work products and summary of the candidate's workload assignment, to the external reviewers for their evaluation by August 20. External reviewers will be provided with a timeline and informed that review letters along with their own curriculum vita must be submitted by September 30.

**9.7.8** The Department Chair / School Director will solicit the reviews using the required template (see Appendix 3) including the additional letters from the Academic Dean and Provost to external reviewers which outline Marshall's guidelines for Promotion and Tenure as it relates to research, scholarship, and creative activities. Reviewers are focused on evaluation of the candidate's record of accomplishments in research, scholarship, or creative activities.

**9.7.9** The Department Chair / School Director will obtain vita or biography for each reviewer for inclusion with the review letter.

**9.7.10** External reviewers' evaluations and vitae must be submitted to the Department Chair / School Director by September 30. Upon receipt of materials from the external reviewer, the Department Chair / School Director /School Director reviews each reviewer's letter and vita to evaluate any professional or personal affiliations or relationships by the reviewer with the candidate. The Chair makes the final determination of Independence, and so notes on the External

Reviewer Worksheet. Evaluations not determined to be independent by the Department Chair / School Director /School Director will be included in the packet as letters of support.

- 9.7.11** After receipt of letters and vitae, the Department Chair / School Director transmits the Worksheet via email with read receipt, codifying the external reviewer process to the Dean for review and approval prior to inclusion in the candidate's dossier by October 5. Once this process is complete and has received the Deans approval, by October 15, the Department Chair / School Director will forward the candidate's entire promotion / tenure application packet to the Department / School Promotion and Tenure Committee so they may begin their review process.
- 9.7.12** The external review process, along with Department Chair / School Director/ School Director and approval from Dean will be completed by October 15. No external reviews may be added or removed from the candidate's application packet after this time.
- 9.7.13** All documents for the external review process will be stored in a digital format. Each Academic Unit will establish specific instructions about where files and documents will be stored and how they will be made available to the required internal parties. Required copies of files from the application packet will be sent to external reviewers via email with read receipts.

## **10. Dismissal for Cause**

- 10.1** Causes of Dismissal: The dismissal of a Faculty Member for cause shall be governed by MUBOG Rule— Faculty Conduct, Misconduct, Corrective Action, and Disciplinary Processes and Procedures, which establishes the definitions, categories, and procedural safeguards for disciplinary actions applicable to faculty.
- 10.2** Faculty dismissal for cause may be effected only in accordance with the procedures and due-process protections outlined in that Rule.
- 10.3** Grounds for dismissal shall include, but are not limited to, violations of the standards of professional conduct, misconduct, or other actions identified as constituting “adequate cause” under the Faculty Conduct, Misconduct, Corrective Action, and Disciplinary
- 10.4** Processes and Procedures Rule.  
The President (or designee) shall initiate any proceedings for dismissal in accordance with that Rule, ensuring appropriate notice, opportunity to respond, and peer-review participation consistent with the shared-governance framework established therein.

**10.5** Faculty Members who refuse to sign or execute an offered annual contract or notice of appointment or reappointment by the date indicated by the University for its execution, or who fail to undertake the duties under such document at a reasonable time, will be deemed to have abandoned their employment with Marshall University and any rights to tenure or future appointment. Faculty Members objecting to terms of such document do not waive their objections to such terms by signing or executing the document.

**11. Faculty Resignation**

A Faculty Member resigning from an existing appointment during or at the end of the academic year should give notice in writing at the earliest opportunity. Professional ethics dictate due consideration of the University's need to have a full complement of faculty throughout the academic year.

**11.5 Emeritus Status**

The University may recognize Faculty Members who have honorably served Marshall University by awarding the individual the honorary designation of Emeritus as described in Rule MUBOG-AA-15, "Emeritus Status for Retired Employees".

**12. Public Employee Grievance Procedure**

A Faculty Member may utilize the grievance procedures set out in West Virginia Code §§ 6C-2-1 *et seq.*

**13. Delegation**

The Board of Governors delegates to the President, in consultation with the appropriate shared-governance bodies, the authority to adopt additional academic affairs internal policies and procedures to effectuate the implementation of this Board of Governors Rule or in furtherance of any other authority that the Board of Governors has specifically delegated to the President pursuant to this Rule. Any actions taken pursuant to this delegation must be consistent with the guidelines provided by this Rule.

**14. Implementations and Transition Provisions**

**14.1** This Rule shall take effect beginning with the 2028–2029 Academic Year and shall apply to all faculty members hired on or after July 1, 2028.

**14.2 Initial Application to Promotion and Tenure Candidates**

Faculty members hired on or after the 2028–2029 Academic Year shall be governed by the procedures, criteria, and timelines outlined in this Rule. The first cohort of faculty eligible for promotion and/or tenure review under this Rule shall be those applying during the 2029–2030 Academic Year.

**14.3 Transition Period for Existing Faculty**

A seven-year transition period will follow initial implementation to ensure fairness

and orderly adoption.

1. Faculty members hired prior to July 1, 2028, will continue to be governed by the promotion and tenure rule in effect at the time of their initial appointment unless they formally elect to be evaluated under this Rule.
2. Faculty who wish to transition to this Rule must notify their Department Chair / School Director and Dean in writing by September 1, 2028. Once elected, evaluation under this Rule will be binding for all subsequent promotion and tenure considerations.
3. Faculty mid-cycle in their probationary or promotion period at the time of implementation will be allowed to complete their cycle under the rule in effect at the time of their appointment.

#### **14.4 Sunset of Prior Policies**

All previous Marshall University promotion and tenure policies, including MUBOG-AA-6, MUBOG-AA-7, MUBOG-AA-9, and any Academic Unit or departmental policies derived from them, shall be fully sunset seven (7) years following the 2028–2029 Academic Year. Beginning with the 2035–2036 Academic Year, this Rule shall serve as the sole governing rule for all promotion and tenure actions at Marshall University.

#### **14.5 Alignment of Academic Unit and Departmental Guidelines**

To ensure uniform implementation and compliance with this Rule, all Academic Units, Colleges, and Departments/Schools shall create, revise, or update their internal governance and personnel policies to align with the provisions, definitions, evaluation standards, and procedural requirements established herein. Each Academic Unit and department shall review and revise (and in some case establish) its internal promotion and tenure guidelines, rubrics, and bylaws to ensure alignment with this Rule. Revised unit-level and departmental documents must be submitted to the University Faculty Senate Faculty Personnel Committee and the Provost for approval no later than July 1, 2028.

To promote consistency across the institution:

- Updated unit and departmental guidelines must explicitly reference this Rule as their governing authority.
- Evaluation rubrics and workload expectations shall be recalibrated to reflect the definitions of performance standards (i.e., “exemplary” and “professional”) performance used in this Rule.
- Academic Units must update bylaws governing promotion and tenure committee composition, eligibility, and voting procedures to align with the requirements of this Rule.

##### **14.5.1 Specifically, each Academic Unit and Department/School shall establish, revise, or update:**

1. Bylaws (all Academic Units, Schools, and Departments)
2. Department-level guidelines and procedures related to promotion and tenure
3. Faculty Workload Policies (Academic Units headed by Deans)

4. Faculty Annual Review processes and procedures (Academic Units headed by Deans Promotion and Tenure Policies/ Guidelines (all Academic Units, Schools, and Departments

**14.5.1.1** The Department Chair/School Director and Academic Dean are responsible for ensuring that these updates are completed in a timely and thorough manner. However, Department Chair/School Director and Academic Deans cannot unilaterally establish, update/change the policies and procedures without input and approval from their faculty.

**14.5.1.2** Failure to maintain updated and consistent internal policies may result in administrative review by the Office of Academic Affairs, and continued non-compliance may be reported to the Provost for corrective action.

**14.5.1.3** The Faculty Personnel Committee (FPC) and the Office of Academic Affairs may provide guidance and oversight to ensure appropriate and consistent implementation across all Academic Units. All updates at this level must be approved through appropriate University governance processes, including review by the Faculty Senate Faculty Personnel Committee and the Provost.

**14.5.2 Institutional Policy Alignment**

To ensure consistency across Marshall University's academic-personnel framework, the following University and Board-level policies may be reviewed and updated to align with this Rule:

1. MUBOG Rule AA-1 – Sabbatical Leave
2. UPAA-11 – Personnel Records
3. UPAA-12 – Teaching and Administration
4. UPAA-14 – Rule on Adjunct Faculty
5. UPAA-15 – Faculty Salary Increases
6. UPAA-16 – Salary Increases for Library and Clinical Faculty
7. UPAA-20 – Faculty Workload
8. UPAA-21 – Modified Duties for Nine-Month Faculty
9. UPAA-24 – Temporary Faculty Annual Reports and Years Applied Toward Tenure

**14.5.2.1** The Faculty Personnel Committee (FPC), in collaboration with the Office of Academic Affairs, may lead the review and revision of the policies listed above to encourage alignment with the standards, definitions, and procedures established by this Rule.

**14.5.2.2** All identified policies shall be reviewed, revised, and approved through appropriate University governance channels no later than the end of Academic Year 2027–2028.

**14.5.3** Full implementation of Rule AA-6 may be contingent upon the completion and approval of these institutional-level revisions. Failure to revise and update the identified policies by that deadline may delay full implementation of this Rule until the necessary revisions are finalized and approved by the Faculty Senate and the Board of Governors.

**14.5.4** The Office of Academic Affairs, in consultation with the Faculty Senate Executive Committee and the University Senate Faculty Personnel Committee, shall monitor progress toward completion of these revisions and provide annual status reports to the President and Board of Governors until full alignment is achieved.

**14.6 External Review and Evaluation Materials Transition**

During the 2028–2029 transition year, departments will update their external review processes to conform to this Rule’s requirements for reviewer independence, selection procedures, and documentation (Appendix 2 and Appendix 3).

- All external reviewer solicitation templates and tracking worksheets must be converted to the new institutional format by October 1, 2028.
- Faculty applying under the legacy rule prior to the sunset date may continue using prior external review forms, provided those reviews are conducted before July 1, 2035.

**15. Policy Review**

No later than July 1, 2035, the Faculty Senate Personnel Committee shall conduct a comprehensive review of this Rule and its institutional implementation and shall recommend any necessary amendments to the Provost and Board of Governors for approval prior to the full sunset of prior policies. The University Faculty Senate Personnel Committee will review this rule every five years, thereafter, and will propose revisions to the rule as needed to meet institutional needs.

**Appendix 1**  
**Promotion / Tenure Timeline**

*If the date specified for a deadline does not fall on a Business Day, the deadline shall be the next Business Day after the specified date.*

<b>Item</b>	<b>Date</b>	<b>Semester</b>	<b>Responsible party</b>
Promotion / Tenure Notification Eligibility	1-Feb	Spring Semester before process	Dean
Faculty Candidate Submits letter of intent for promotion/tenure	28-Feb	Spring Semester before process	Candidate
Chair notifies Academic Unit P/T Coordinator and Dean of candidate's intent	1-Mar	Spring Semester before process	Chair
Academic Unit P/T Coordinator create file / document storage structure and grant appropriate access to files / folders	1-Mar	Spring Semester before process	P/T Coordinator
Chair solicits external reviewer suggestions	1-Mar	Spring Semester before process	Chair
Finalized External Reviewer List	30-Apr	Spring Semester before process	Chair
Chair contacts external reviewers	15-May	Spring Semester before process	Chair
Finalized List (those agreeing to review)	1-Jun	Summer Semester before process	Chair
Reviewers notified of timeline	10-Jun	Summer Semester before process	Chair
Candidate submits promotion / tenure packet	15-Aug	Fall semester of application	Candidate
External reviewers are forwarded application packet	20-Aug	Fall semester	Chair

			of application
			Fall semester of application
External Review Letters / Information sent back to Chair	30-Sep		Chair
Chair evaluates external reviewer's independence, makes determination and forwards worksheet on to Academic Dean	5-Oct		Chair
Dean approves Chair's recommendation and sends back to chair.			Fall semester of application
Chair uploads review letters into the candidate's application package.	15-Oct		Dean/Chair
Promotion / Tenure Application Packet ready for department P/T Committee review	20-Oct		Fall semester of application
Department P/T Recommendations due to Chair	20-Nov		Chair
Chair notifies candidate of Department level review results	25-Nov		Chair
Chair completes evaluation of candidate's packet	15-Dec		Fall semester of application
Chair notifies the candidate of the results of Department and Chair evaluations	20-Dec		Chair
Candidate responds to Chair regarding any negative recommendations	3-Jan	Spring Semester	Candidate
Chair sends any response materials to Academic Unit P/T Coordinator	6-Jan	Spring Semester	Chair
All application materials ready for the Academic Unit P/T Committee	8-Jan	Spring Semester	Academic Unit P/T Coordinator
P/T Coordinator notifies Dean that Academic Unit P/T committee is ready to review	9-Jan	Spring Semester	Academic Unit P/T Coordinator
Academic Unit P/T Committee submits their recommendations	15-Feb	Spring Semester	Chair of Academic Unit P/T Committee
Academic Unit P/T Coordinator will notify candidate's chair about Academic Unit review	16-Feb	Spring Semester	Academic Unit P/T Coordinator
Academic Unit P/T Coordinator will notify candidate's Dean that application packets are ready for review	16-Feb	Spring Semester	Academic Unit P/T Coordinator

Candidate's Chair will notify candidate of outcome of the Academic Unit P/T Committee	21-Feb	Spring Semester	Chair
Dean submits their recommendation	10-Mar	Spring Semester	Dean
Academic Unit P/T Coordinator will notify Candidate's Chair of Academic Unit P/T Committee and Dean's Recommendations	11-Mar	Spring Semester	Academic Unit P/T Coordinator
Candidate's Chair notifies candidate of the outcome of the Dean's review	16-Mar	Spring Semester	Chair
Candidate may submit response to the Academic Unit P/T Committee's recommendation and/or the Dean's recommendation to their Department Chair.	25-Mar	Spring Semester	Candidate
Chair will notify the Academic Unit P/T Coordinator that response has been received and uploaded.	26-Mar	Spring Semester	Chair
Academic Unit P/T Coordinator will verify receipt of responses and forward application packets to Provost's office	27-Mar	Spring Semester	Academic Unit P/T Coordinator
The Provost reviews all application materials and prepares a written recommendation to the President.	20-Apr	Spring Semester	Provost
President (or designee) will prepare a list of those promoted and/or granted tenure and sends an informational copy to the Chair of the University Faculty Senate Personnel Committee.	30-Apr	Spring Semester	President
President will inform all candidate by written letter and via email with read receipt of their decision.	30-Apr	Spring Semester	President

Appendix 2  
External Reviewer Selection Worksheet

<b>Candidate Information</b>	
<b>Name</b>	
<b>Current Rank &amp; Department</b>	
<b>Years in Current Rank</b>	
<b>Decision Deadline, if any</b>	
<b>Review Type</b>	<input type="checkbox"/> Tenure and Promotion to Associate Professor <input type="checkbox"/> Promotion to Full Professor
<b>Briefly explain your process for assembling the list of potential reviewer names; this should be a collaborative process with senior faculty participation.</b>	

*Please include ALL suggestions on both lists, even if the lists overlap.*

		<input type="checkbox"/>					
		<input type="checkbox"/>					
		<input type="checkbox"/>					
		<input type="checkbox"/>					

**Please explain any overlap between the prior-promotion reviewers and the proposed reviewers for the current promotion.**

Appendix 3  
External Reviewer Solicitation Template

Dear Referee:

Marshall University is evaluating **[name of candidate]** for **[tenure and promotion to associate professor; tenure-only; promotion to full professor]** appointed in the Department(s) of **[name of department(s)]**.

Marshall University is a nationally recognized R2 located in the state of West Virginia. Because you are recognized as a leading scholar in **[name of candidate]**'s field, we would appreciate your assistance in assessing his/her record of work. Marshall University values an inclusive view of scholarship and/or creative activities in the recognition that knowledge is acquired and advanced through discovery, integration, application, and teaching, as outlined in our Promotion and Tenure Guidelines which are included with this letter. Given this perspective, promotion and tenure reviews, as detailed in the criteria of individual departments and colleges (included with this document), will recognize original research, creative and scholarly contributions in peer-reviewed publications, exhibitions, performances, presentations, reviews, or other documentation of scholarly contributions as well as integrative and applied forms of scholarship and/or creative activities that involve cross-cutting collaborations with business and community partners, including translational research, commercialization activities, patents, creative activities, performances, and grants.

In your letter, please note how well you know the candidate professionally and/personally. If you have collaborated with the candidate within the last five years, we will appreciate your describing the nature and extent of your collaborations. This will help us understand your perspective on this candidate and any potential conflicts of interest.

We have attached the following materials to help you evaluate **[name of candidate]**'s record:

1. a curriculum vitae;
2. a statement in which he/she explains his/her program of work;
3. copies of the University Promotion and Tenure policy;
4. copies of our departmental and college promotion/tenure guidance;
5. a timeline of the external review process; and
6. a representative set of **[examples: articles; slides; audio and/or video recordings]**

In addition, their workload has typically been **[2-1, 2-2, 3-3, etc.]** courses/year with the allocation of effort associated to be X% instruction, X% research/scholarship, X% service, and/or X% administrative. **If applicable A note, [name of candidate] had been automatically granted an extra year toward tenure and promotion and no negative inference should be inferred.**

We appreciate your providing a detailed assessment of the strengths and weaknesses of the candidate's scholarly and research record. Please focus your review comments to the research/scholarly/creative accomplishments and the potential for the candidate to add to the discourse of the discipline.

Our criteria also include consideration of teaching, and the review of the candidate's teaching accomplishments is expected to be done in a separate component of the tenure evaluation.

Please provide your assessment on

- the level of productivity, significance and impact of his/her disciplinary contributions,
- recognition and impact of his/her disciplinary contributions at national or international levels,
- promise of sustained scholarly activity,
- the relative ranking of the journals, presses and other venues of their scholarly contributions. If the scholarly work is published or otherwise disseminated in venues where multiple authors/inventors/artists are common, provide an explanation of the discipline's methods for indicating the importance of a particular author's role (e.g. the accepted protocol for listing authors).
- if it is expected for this field to have obtained extramural funding or foundation/other financial support, assessment of the competitive nature of funding from the granting agencies who have provided awards.
- We recognize that scholarly activity is increasingly interdisciplinary, if applicable assess contributions to research, scholarship, creativity, and service for the candidate and their field.
- contributions to regional, national or international service in the candidate's field
- if applicable, scholarship and/or creative activities related to teaching activities

We ask that you state in your personal assessment, considering the candidate's scholarly accomplishments and academic responsibilities at Marshall University, if the candidate is promotable and/or tenurable in his/her field.

I greatly appreciate your willingness to invest your time in this process. Please include a copy of your curriculum vitae with your review.

Your recommendation will be treated with the greatest possible confidentiality permitted by Marshall University and the Marshall University Board of Governor's policy and applicable law. Please note that under current interpretations of West Virginia state law, we are unable to assure the confidentiality of your review. As a consequence, our review process stresses transparency, and your evaluation will be made available if the candidate formally requests review.

Please return your evaluation by **[date]**. If you are unable to do so or have questions about the process, please let me know as soon as possible. Thank you for your contributions to this review.

Sincerely,

**[NAME, DEGREE]**

**Chair, Department of [DEPARTMENT NAME]**

Marshall University

## MARSHALL UNIVERSITY BOARD OF GOVERNORS

### Rule No. AA-6

#### Faculty Classification, Types and Conditions of Appointment, Ranks, Promotion, Tenure, Dismissal for Cause, Resignation, & Emeritus Status

##### 1. General Information

###### 1.1 Purpose

The policy on "Faculty Classification, Types and Conditions of Appointment, Ranks, Promotion, Tenure, Dismissal for Cause, Resignation, & Emeritus Status" encompasses a comprehensive framework designed to manage the professional lifecycle of faculty members within Marshall University. The objective of this policy is to establish equitable and appropriate criteria, eligibility, expectations, notification, procedures, and standards for faculty from their initial appointment through to their potential transition to emeritus status, and the formation of promotion / tenure policies at the Academic Unit and Department levels.

###### 1.2 Scope

This Rule relates to the appointment, classification, rank, promotion, tenure, reappointment, or dismissal for cause of faculty. This Rule applies to all faculty members at all colleges and schools at Marshall including the Joan C. Edwards School of Medicine.

###### 1.3 Authority

1.3 Authority: W. Va. Code §18B-1-6

1.4 Passage Date: [TBD]

1.5 Effective Date: 2028-2029 Academic Year (See Section 14 for implementation and transition provisions).

###### 1.6 Superseding Provisions

This Rule supersedes and replaces Higher Education Policy Commission Series 9 – Academic Freedom, Professional Responsibility, Promotion, and Tenure; and any other Rule of the Higher Education Policy Commission which relates to the subject matter contained within this Rule. This Rule also repeals and supersedes MUBOG-AA-6 – Faculty Promotion, MUBOG-AA-7 – Faculty Promotion, MUBOG-AA-8 – Termination of Faculty Due to Program Reduction or Discontinuance, MUBOG-AA-9 – Faculty Tenure, MUBOG AA-15 – Emeritus Status for Retired Employees, and any other internal academic affairs policy or procedure which relates to the subject matter contained within this Rule.

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2. **Definitions**

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## 2.1 **Academic Rank**

“Academic Rank” means the level of position held by a Faculty Member. Faculty ranks include Professor, Associate Professor, Assistant Professor, Senior Instructor, Instructor, and Research Scholar. The title used by a faculty member is typically a combination of an Academic Rank and a Faculty Classification.

## 2.2 **Academic Unit**

An academic unit is a major administrative division of the university, which is typically headed by a Dean. For the purposes of this policy, “Academic Unit” refers to units listed in Bylaw 14 of the Faculty Senate.

## 2.3 **Board of Governors**

“Board of Governors” means the Board of Governors (BOG) at Marshall University.

## 2.4 **Business Day**

A “Business Day” is a day when Marshall’s Huntington campus is open for business, including days when the university is open but classes are not held. Business Days do not include weekends, University holidays, or other days when the Huntington campus is closed.

## 2.5 **Department Chair / School Director**

A “Department Chair / School Director” is a faculty member in an academic department within an academic school or college whose role is to manage that department. School directors who manage a major subdivision of an Academic Unit and report through a Dean also fulfill the role of Department Chair / School Director. When a School is freestanding and not part of a college, it is managed by a Dean who is not a Department Chair / School Director.

## 2.6 **Critical Year**

“Critical Year” means the penultimate year of the tenure-track period, which typically is the sixth year. The candidate applies for tenure during the Critical Year.

## 2.7 **Dean**

A “Dean” is a university officer who is the head of a particular Academic Unit and its associated faculty. For the purposes of this policy, “Dean” includes the top-level administrator for each Academic Unit. A Dean serves as their academic unit’s chief academic officer and reports to the Provost for all academic related matters, including (but not limited to) rules, policies, regulations, and procedures related to faculty.

## 2.8 **Designated Faculty Prefixes**

“Designated Faculty Prefixes” refers to “Adjunct-,” “Clinical-,” “Dual-Credit-,” “Research-,” “Teaching-,” or “Visiting-,” as applicable to describe the Faculty Member’s connection or function within the University.

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## 2.9 **Faculty**

“Faculty” refers to the class of individuals who are specifically appointed as such by the President including, but not limited to, faculty with academic rank as well as such professional personnel such as librarians, faculty equivalents, and academic professionals.

## 2.10 **Faculty Classification**

“Faculty Classification” refers to the different categories of faculty members (holding academic rank), such as Tenured, Tenure-track, Non-tenure track, Clinical-track, Librarian-track, and Research-track. Each classification has distinct roles, responsibilities, and eligibility criteria for benefits and promotions.

## 2.11 **Faculty Equivalent**

“Faculty Equivalent” refers to certain non-tenure-track positions that, while distinct from other Marshall faculty, are counted as faculty rather than staff. These include certain positions in the Autism Training Center and certain athletic coaches.

## 2.12 **Faculty Member**

“Faculty Member” means an individual member of the Faculty.

## 2.13 **Full-time**

“Full-time” means a 1.0 FTE equivalent position for the contract year.

## 2.14 **President**

“President” means the President of Marshall University or the President’s designee.

## 2.15 **Probationary Period**

The time during which a faculty member has been hired on the tenure track but has not yet been granted or denied tenure. During this period, the candidate demonstrates their fitness for tenure.

## 2.16 **Provost**

“Provost” means Marshall University’s highest ranking academic officer. In this role, all academic Deans or equivalents (for academic matters) report to the Provost who oversees all matters related to academic affairs. The Provost oversees the operations of academic affairs matters, including policies related to faculty. The Provost is the chief academic officer of Marshall University and oversees all Deans, regarding academic and faculty matters.

## 2.17 **Tenure**

Tenure at Marshall University provides for a continuing series of appointments which may be terminated by the university only for cause, under extraordinary circumstances, or in the event of a reduction or discontinuance of a program.

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### 3. Faculty Classifications

This section typically delineates the different categories of faculty members, such as adjunct-faculty, dual-credit instructor, tenured, tenure-track, clinical-track, teaching-track, librarian-track, and research-track. Each classification has distinct roles, responsibilities, and eligibility criteria for benefits and promotions.

#### 3.1 Adjunct-Instructor-Track

Adjunct Faculty are instructors who teach part-time. The teaching loads for adjunct instructors are limited by University Policy UPAA-14, "Rule on Adjunct Faculty." Adjunct Faculty are not eligible for promotion or tenure and are hired on an "as needed basis."

#### 3.2 Dual-Credit Instructor-Track

Dual Credit Instructors are typically employed by secondary schools who, in partnership with Marshall University, offer Marshall courses to high school students, who receive both high school and college credit for these courses upon successful completion. These faculty serve as the instructor of record for dual credit courses and hold the rank of Instructor.

#### 3.3 Tenured

Those Faculty Members who have attained tenure status as determined by the President. Tenured appointments are normally full-time for the academic year. Based on the policies and procedures for promotion, tenured faculty (who are normally granted promotion after being granted tenure) may be promoted through the ranks listed below.

- Assistant Professor
- Associate Professor
- Professor

3.3.1 Under special circumstances, if requested by a Faculty Member and approved by the President, a full-time tenured appointment may be converted to a part-time or zero FTE tenured appointment for a specified period of time, normally not to exceed one calendar year per occurrence. At the conclusion of the approved period of time or an approved extension thereof, the Faculty Member returns to a full-time tenured appointment unless the Faculty Member chooses not to return to a full-time tenured appointment. Upon such an election, the Faculty Member's employment ceases. This section does not apply to actions associated with phased retirement programs.

#### 3.4 Tenure-Track

Those Faculty Members who normally have been appointed on a full-time basis and have been designated by the President as being in a tenure-track position and until they have been granted tenure are considered probationary. Based on the policies and procedures for promotion, tenure-track faculty may be promoted through the ranks listed below.

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- Assistant Professor
- Associate Professor
- Professor

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**3.4.1** Time spent in a part-time tenure-track appointment at least one-half of the contract period is normally not included in the calculation of years of service for the purposes of tenure nor will it result in any de facto award of tenure.

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**3.4.2** Under special circumstances, if requested by a Faculty Member through appropriate channels and approved by the Provost, a full-time tenure-track appointment may be converted to a part-time or zero FTE tenure-track appointment for a specified time period, normally not to exceed one calendar year per occurrence. At the conclusion of the approved period or extension thereof, the Faculty Member returns to a full-time tenure-track appointment unless the Faculty Member chooses not to return to a full-time tenure-track appointment. Upon such election, the Faculty Member's employment ceases.

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### **3.5 Clinical-Track**

Clinical faculty (or "practice" faculty) must have significant professional work experience outside of higher education practicing their professions. Clinical faculty do not generally teach didactic classroom-based courses; rather, they teach experiential and clinically based courses where students are practicing what they learned in didactic courses in authentic settings with clients or patients. Although not eligible for tenure, clinical faculty have ongoing appointments. Based on the policies and procedures for promotion, clinical faculty may be promoted through the ranks listed below.

- Clinical Instructor
- Clinical Assistant Professor
- Clinical Associate Professor
- Clinical Professor

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### **3.6 Librarian-Track**

Librarian faculty are appointed by the President to provide instructional services at Marshall University Libraries. Appointment of librarians will follow the same procedures that are established for appointing all institutional faculty members and appointment to any rank will meet the criteria appropriate to that rank.

Although not eligible for tenure, librarian faculty have ongoing appointments and may, based on the nature of their appointment and job duties use the term Librarian following their listed academic rank (except for those ranked as Instructor). Based on the policies and procedures for promotion, librarian faculty may be promoted through the ranks listed below. Their appointment may be full-time equivalent or part-time.

- Instructor / Librarian I
- Assistant Professor / Librarian II
- Associate Professor / Librarian III
- Professor / Librarian IV

### 3.7 **Research-Track**

Research Faculty are primarily hired through research-based funding to engage in scholarly activities. They are not eligible for tenure and their appointments are contingent based on research funding. They may do some teaching and/or perform university service. Based on policies and procedures for promotion, research faculty may be promoted through the ranks listed below.

- Research Scholar
- Research Assistant Professor
- Research Associate Professor
- Research Professor

### 3.8 **Teaching-Track**

Teaching-Track Faculty are hired for specified terms. An additional contract may be offered at the end of each term. Teaching-Track faculty are hired primarily to teach didactic courses and to perform some university service. Based on policies and procedures for promotion, term faculty may be promoted through the ranks listed below. Those Faculty Members who have been appointed by the President as Teaching-Track Faculty may hold an Academic Rank. The appointment may be full-time or part-time. Based on policies and procedures for promotion, teaching faculty may be promoted through the ranks listed below.

- Instructor
- Senior Instructor
- Assistant Teaching Professor
- Associate Teaching Professor
- Teaching Professor

#### 3.8.1 **Limitations on Number of Teaching-Track Faculty**

With the exception of the School of Medicine, full-time appointments to the teaching-track and clinical-track will not exceed thirty percent (30%) of the total number of full-time faculty. The Provost has the authority to grant exceptions to the threshold.

#### 3.8.2 **Appointment Length**

Upon appointment to a teaching-track, a Faculty Member may be eligible to receive reappointment (i.e., employment contracts); terms lengths are dependent upon rank and employment contracts may be terminated due to program elimination, strategic realignment, budget constraints, faculty misconduct (cause), or persistent and documented performance issues.

3.8.2.1 Rank of Instructor: 3-year term.

3.8.2.2 Rank of Senior Instructor: 4-year term.

3.8.2.3 Rank of Assistant Teaching Professor: 5-year term.

3.8.2.4 Rank of Associated Teaching Professor: 6-year term.

3.8.2.5 Rank of Teaching Professor: 7-year term.

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### 3.9 Visiting Faculty

Faculty Members who have been appointed by the President but have not been appointed in a tenure-track, clinical-track, librarian-track, teaching-track, ~~service track~~ or as having tenured status. Appointment of such faculty may be full-time equivalent or part-time.

#### 3.9.1 Reappointment

The reappointment of visiting-track appointments will not create any presumption of a right to appointment as tenure-track or tenured faculty.

#### 3.9.2 Other non-tenure-track full-time faculty appointments may be used only if one or more of the following conditions prevail:

3.9.2.1 The position is funded by a grant, contract, or other source that is not a part of the regular and on-going source of operational funding.

3.9.2.2 The position is created for the temporary replacement of an individual on sabbatical or other leave of absence. Appointments to such positions are outside tenure-track status, are subject to reappointed annually, and normally may not exceed three years.

3.9.2.3 The position is created to fill an essential teaching post immediately, pending a permanent appointment through a regular search and screening process. Appointments to such positions are outside tenure-track status, are subject to reappointed annually, and normally may not exceed three years.

3.9.2.4 The position is temporary to meet transient instructional needs, to maintain sufficient instructional flexibility to respond to changing demand for courses taught, or to meet other institutional needs. The appointee is to be notified at the time of the appointment. Appointments to such positions are outside tenure-track status, are subject to be reappointed annually, and normally may not exceed six years.

3.9.2.5 The position is a secondary appointment for a person who has a primary appointment as an administrator or to perform other noninstructional duties. Any faculty rank or teaching associate with such a position is considered temporary and may be reappointed on an annual basis. The appointee must be notified in writing of the status of any Academic Rank.

3.9.3 Appointment to a non-tenure-track full-time faculty position will create no right or expectation of continued appointment beyond the period of appointment.

3.10 Clinical-track, librarian-track, research-track, teaching-track faculty, and other non-tenure track faculty hold appointments that are not subject to consideration for tenure, regardless of the number, nature, or time accumulated in such appointments. Clinical-track, librarian-track, research-track, teaching-track, and

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visiting faculty appointments are only for the periods and for the purposes specified, with no other interest or right obtained by the person appointed by virtue of such appointment. Because the Faculty Member thus appointed is not on the tenure-track, the notice provisions set out in Section 7 below do not apply.

### 3.11 Librarian-Track

Faculty members appointed as Library Faculty may be full-time or part-time, as specified in their employment letter.

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### 3.12 Faculty Appointments – General

Other appropriate titles which more accurately indicate the nature of a faculty member's position may be used at the discretion of the President in consultation with the Provost and the University Faculty Senate's Faculty Personnel Committee.

### 3.13 Faculty with Administrative Appointments – General

Persons assigned full-time or part-time to administrative or staff duties at the University may be appointed to, or may retain, Academic Ranks in addition to any administrative or staff title, following consultation with appropriate academic units. Such persons will be informed in writing at the time of the appointment whether the faculty rank is as a tenured, tenure-track, clinical-track, librarian-track, teaching-track, service track, or other non-tenure-track member of the faculty. Administrative or staff personnel who are not appointed to a faculty position are not faculty and therefore are not entitled to the protections provided by this policy.

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#### 3.13.1 In addition to their regular administrative duties, each campus administrator who also holds Academic Rank, pursuant to W. Va. Code § 18B-8-6(b), will teach at least one (1) course during each eighteen-month employment period or perform ongoing research or creative activity.

## 4. Faculty Types and Conditions of Appointment

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### 4.1 Full-time appointments to the faculty of Marshall University, other than those designated as adjunct, dual-credit, clinical-track, librarian-track, research-track, teaching-track, or other non-tenure-track, will be either tenured or tenure-track.

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### 4.2 All clinical-track, librarian-track, research-track, teaching-track, and other non-tenure-track appointments, as defined in Section 3 of this Rule, will be neither tenured or tenure-track, but will be appointments only for the periods and for the purposes specified, with no other interest or right obtained by the person appointed by virtue of such appointment.

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### 4.3 The appointment of a person to a full-time position on any of Marshall's additional locations is made subject to the following conditions:

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#### 4.3.1 A full-time appointee will render full-time service to Marshall. The University

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expects its faculty to give full professional effort to assignments of teaching, research/scholarship/creativity, and service. It is, therefore, inappropriate to engage in gainful employment outside the institution that interferes with the Faculty Member's responsibilities at Marshall University or employment that is otherwise incompatible with the Faculty Member's contractual commitment to Marshall University. Moreover, it is inappropriate to use University resources to transact private business. Outside activities which are restricted below in subsection 4.3.3 will not be restricted unless such activities or employment interfere with the adequate performance of institutional duties.

**4.3.2** If outside employment or service is undertaken without express prior approval and if it interferes with the performance of the regular institutional duties and responsibilities of the appointee, the President in consultation with the Provost, has a right to (a) require the appointee to cease such outside employment or service which interferes with institutional duties and responsibilities of the appointee, (b) make such adjustments in the compensation paid to such appointee as are warranted by the appointee's services lost to the University and by the appointee's use of institutional equipment and materials, or (c) dismiss for cause as set out in section 9 below.

**4.3.2.1** If an accrediting body of a Marshall University program requires a faculty member to maintain their professional certifications and/or licenses through employment activities outside of the required Marshall University responsibilities of teaching, research/scholarship/creativity, and service, faculty members will receive up to a 3-credit-hour course release to maintain that certification/licensure and will not see an adjustment to their Marshall University compensation package. Each Academic Unit will develop guidelines for the implementation of this provision, and will submit it to the University Faculty Senate's Faculty Personnel Committee for approval.

**4.3.2.2** The course-release provided in 4.3.2.1, of this rule, does not apply to faculty members appointed to positions in the School of Medicine.

**4.3.3** The University may permit and encourage a reasonable amount of personal professional activity, such as consulting, by a Faculty Member outside the Faculty Member's duties and responsibilities of employment by and for the University, provided such activity: (1) further develops the Faculty Member professionally, (2) does not interfere with duties and responsibilities to the University, and (3) is undertaken in a manner consistent with the requirements of other applicable Board rules.

**4.4** The Provost will develop a form for faculty to report any outside activities and any associated conflicts of interest. This form will be submitted by faculty annually (when there are outside activities to report) and will be reviewed by the Department Chair / School Director, Dean, and Provost.

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4.5 A faculty member holding a non-tenure-track appointment, including, but not limited to, the Clinical, Research, Librarian, or Teaching Tracks, may be considered for transfer to a tenure-track appointment when such a change aligns with the mission, needs, and long-term priorities of the University and the employing academic unit. Requests for a track change must originate with the faculty member's Department Chair and be endorsed by the faculty member's Dean. The proposed transfer shall undergo formal review through established appointment procedures and must receive written approval from the Provost. A change in track constitutes a new appointment and is subject to the same search process, credentialing, and rank requirements applicable to all tenure-track positions. Upon approval of such a transfer, the Provost, in consultation with the faculty member's Dean and their Department Chair, may determine whether a portion of the faculty member's prior full-time service at Marshall University will be credited toward the tenure-track probationary period.

4.6 Faculty in tenure-track and tenured positions are generally expected to be available for on-campus activities during their period of appointment, when not on leave and not traveling for university business. Some tenure-track or tenured faculty members may teach exclusively online. In these cases, each Academic Unit will develop a policy for tenure-track and tenured faculty members teaching exclusively online that outlines the expectations for availability to on-campus activities. This policy should be submitted to the University Faculty Senate's Faculty Personnel Committee for approval.

4.7 Faculty in positions that are non-tenured and non-tenure-track are generally expected to be available for on-campus activities during their period of appointment, when not on leave and not traveling for university business. In some situations, faculty who exclusively teach online courses may be employed with no expectation of on-campus availability. In these cases, the offer letter will explicitly describe the terms of appointment. If a faculty member is teaching exclusively online for a short period of time, their on-campus availability will be negotiated with their immediate supervisor and academic Dean.

4.8 Tenure-track faculty appointments are distinct from other faculty tracks (e.g., clinical, research, ~~instructional, or professional practice~~<sup>teaching</sup>). Each track serves a separate institutional purpose, is governed by different performance expectations, and follows its own criteria for appointment, evaluation, promotion, and—where applicable—tenure. Accordingly, faculty members appointed to the tenure-track may not transfer to other faculty appointment tracks (e.g., clinical, research, or ~~instruction~~<sup>teaching</sup>) after their initial appointment. Exceptions shall not be permitted except in cases of demonstrable institutional need, as determined and initiated by the Provost, Dean, the faculty member's immediate supervisor, and approved through the full faculty appointment process applicable to the new track.

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## 5. Faculty Ranks

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Faculty ranks usually include titles such as Instructor, Senior Instructor Assistant Professor, Associate Professor, and Professor, with each rank reflecting a different level of academic achievement, experience, and responsibility. This section defines the criteria and qualifications required for each rank.

## 5.1 Instructor

The rank of Instructor is an entry-level position in which the primary responsibility is teaching.

5.1.1 Except as noted below, the rank of Instructor requires that a candidate will have earned at least a master's degree at a university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, in a discipline appropriate to the teaching field.

5.1.2 In certain special areas in which professional achievement is of unusual importance, or in which personnel holding higher degrees are not available, the bachelor's degree or its equivalent may meet the minimum for the rank of instructor. These exceptions must be approved by the Provost and meet the criteria set forth in UPAA-8.

5.1.3 A candidate for instructor must show promise as an effective university teacher.

5.1.4 Teaching-track faculty members in the rank of instructor receive a 3-year employment contract that may be terminated for any reason that is not arbitrary or capricious. Any documented information relating to the decision for non-reappointment or dismissal will be provided promptly to the Faculty Member upon request.

## 5.2 Senior Instructor

The rank of Senior Instructor represents an advancement in experience from the rank of Instructor. A candidate for Senior Instructor will have earned at least a master's degree at a university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, in a discipline appropriate to the teaching field.

5.2.1 A candidate for the rank of Senior Instructor must have had at least five complete academic years of experience as a full-time faculty member at a college or university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, or other experience deemed as equivalent by the Dean of the Academic Unit prior to application for promotion. This means that a candidate may apply for promotion in academic rank after completing five complete academic years as Instructor, and successful candidates may be promoted after six full years of experience at that rank.

5.2.2 A candidate for Senior Instructor must have demonstrated effective university

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teaching and service.

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5.2.3 Teaching-track faculty members in the rank of senior instructor receive a 4-year employment contract that may be terminated due to program elimination, strategic realignment, budget constraints, faculty misconduct (cause), or persistent and documented performance issues.

### 5.3 **Research Scholar**

The rank of Research Scholar is an entry-level Research-Track position assigned to individuals with the qualifications to conduct the projects for which they are hired.

5.3.1 The rank of Research Scholar requires that a candidate will have earned at least a master's degree at a university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, in a discipline appropriate to the research projects.

### 5.4 **Assistant Professor**

An Assistant Professor is the lowest rank typically held by faculty members with a terminal degree.

5.4.1 The rank of Assistant Professor requires that a candidate will have earned a terminal degree at a university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, in a discipline appropriate to the teaching field. University Policy UPAA-8 contains a list of terminal degrees by college and discipline.

5.4.1.1 A potential faculty member who is ABD (all but dissertation) or who completed all coursework for their terminal degree, but has not completed other final components of the terminal degree, may be hired at the rank of Assistant Professor, but their expected terminal degree completion date must be noted in their initial offer letter. The offer letter should outline appropriate provisions should the faculty member not complete their terminal degree. These special cases require approval by the Provost.

#### 5.4.15.4.1.2

5.4.2 If applying for promotion from a lower rank to the rank of Assistant Professor, a candidate must also have at least five complete academic years of experience as a full-time faculty member at a college or university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, or other experience deemed as equivalent by the promotion policy of the Academic Unit. This means that a candidate may apply for promotion to Assistant Professor after completing five complete academic years at lower ranks and successful candidates may be promoted after completing six complete academic years.

5.4.3 A candidate applying to the rank of Assistant Professor must have demonstrated professionalism in their duties and must show promise as a professional faculty member in other major areas of responsibility.

### 5.5 **Associate Professor**

The rank of Associate Professor represents a significant milestone in the career of a faculty member and signifies a higher level of responsibility and recognition within Marshall University and their respective department and Academic Unit. The qualifications for achieving the rank of Associate Professor include a

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combination of education, teaching, and research/scholarship/creativity (as defined by each appointing unit), with a regional, national, or international impact outside of Marshall University.

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5.5.1 A candidate for Associate Professor must have earned a terminal degree at a college or university accredited by a United States Department of Education recognized accreditor or at an appropriately accredited international college or university, in a discipline appropriate to the teaching field. University Policy UPAA-8 contains a list of terminal degrees by college and discipline.

5.5.2 A candidate for Associate Professor must have had at least five complete academic years of experience at the rank of Assistant Professor as a full-time faculty member at a college or university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, or other experience deemed as equivalent by the promotion policy of the Academic Unit prior to application for promotion. This means that a candidate may apply for promotion in academic rank during the sixth year as Assistant Professor, and successful candidates may be promoted after six full years of experience at that rank.

5.5.3 A candidate must have demonstrated exemplary performance in either Teaching and Advising or in Research, Scholarship and Creative Activities, and professional performance and achievement in all other areas of responsibility. Each Academic Unit will establish definitions of exemplary and professional performance.

5.6 **Professor**  
The rank of Professor represents the highest academic status for tenured faculty at Marshall University and signifies a high level of achievement and expertise in a particular field or discipline. Achieving the rank of Professor typically requires a combination of advanced education, significant excellence in teaching, research/scholarly/creative contributions, and service to the academic community (as defined by each appointing unit) with a national or international impact.

5.6.1 A candidate must have earned the terminal degree in a discipline appropriate to the teaching field from a college or university accredited by a United States Department of Education recognized accreditor, or an appropriately accredited international college or university, in a discipline appropriate to the teaching field. University Policy UPAA-8 contains a list of terminal degrees by college and discipline.

5.6.2 A candidate for the rank of Professor must have had at least five complete academic years of experience in the rank of Associate Professor at a regionally accredited college or university accredited by a United States Department of Education recognized, or at an appropriately accredited international college or university, or other experience deemed as equivalent by the Dean of the

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**5.6.2** Academic Unit prior to application for promotion. This means that a candidate may apply for promotion in academic rank during the sixth year as Associate Professor, and successful candidates may be promoted after six full years of experience at that rank.

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**5.6.3** A candidate must have demonstrated exemplary performance in two of the three major areas, and professional achievement in the other area of responsibility. Each Academic Unit will establish definitions of exemplary and professional performance.

## 6. Promotion in Academic Rank

This section details the process and criteria for faculty to advance in academic rank. It includes the evaluation of teaching effectiveness, research/scholarly/creative contributions, service ~~to the institution~~, and professional development. Tenure and Promotion are separate and so promotion in rank does not constitute awarding of tenure.

Promotion in rank is a reward for meritorious professional achievement. It is based on the professional qualifications of a faculty member, including performance specific to the candidate's contractual responsibilities and duties while employed at Marshall University. Faculty ranks determine the major area or areas of responsibility. The major areas of faculty responsibility evaluated in a promotion application are:

- Teaching and Advising
- Research, Scholarship, and Creative Activities
- Service and Professional Development

### 6.1 Annual Consideration for Promotion

All persons in tracks other than Adjunct-Instructor Track, Dual-Credit Instructor-Track, or Other-Non-Tenured Track who hold the rank of Instructor, Senior Instructor, Assistant Professor, or Associate Professor, with teaching responsibilities, as defined by the academic unit, and who are employed full-time are entitled to annual consideration for promotion to a higher rank, provided that they have met the criteria for minimal levels of educational attainment and years of faculty experience outlined in this policy.

### 6.2 Promotion and Tenure

For tenure-track faculty, if promotion and tenure are applied for on the same schedule, the final tenure decision will be made before the final promotion decision; failure to be granted tenure will result in a negative promotion decision. Tenure-track faculty members may not be promoted before they are awarded tenure, but may be promoted at the same time they receive tenure.

**6.2.1** Full-time faculty members not on the tenure track are exempt from the requirement in 6.2 of this policy.

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### 6.3 **Clinical-track, Librarian-track, Research-track, and Teaching-track**

For faculty who are classified as clinical-track, librarian-track, research-track, or teaching-track, and who are neither tenured nor on the tenure-track, each Academic Unit will develop separate promotion criteria and procedures for those faculty, in consultation with the relevant Chair(s), Director(s), and Dean(s). These criteria and procedures must be approved by the University Faculty Senate's Faculty Personnel Committee and Provost.

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### 6.4 **Established Guidelines**

Within the following framework, the University will establish, in cooperation with the Faculty or duly-elected representatives of the Faculty, guidelines and criteria for promotion in Academic Rank, such guidelines to be in conformity with guidelines established by this policy and approved by the Faculty Senate's Faculty Personnel Committee and Provost.

**6.4.1** There will be demonstrated evidence that promotion is based upon a wide range of criteria, established by the applicable Academic Unit in accordance with this document, and appropriate to the mission of the unit.

**6.4.2** There will be demonstrated evidence that, in the process of making evaluations for promotions, there is participation from several different groups, including but not limited to peers from within and without the Academic Unit of the faculty member, and supervisory administrative personnel such as the faculty member's Chair and Dean.

**6.4.3** There will be no practice of granting promotion routinely or solely because of length of service, or of denying promotion capriciously.

**6.4.4** The University will provide copies of the guidelines and criteria for promotion (approved by the University Faculty Senate's Faculty Personnel Committee and Faculty Senate) to the Board of Governors and will make available such guidelines and criteria to its Faculty.

**6.4.5** Promotion will not be granted automatically, but will result from action by the President, following consultation with the appropriate academic units.

### 6.5 **Criteria & Areas of Responsibility**

The specific categories in which faculty are evaluated for promotion include the following:

#### 6.5.1 **Teaching and Advising (if applicable)**

Teaching and Advising responsibilities and duties may include, but are not limited to: command of disciplinary knowledge, skills, and methodology; effectiveness of classroom performance; advising load and effectiveness of academic advising; effectiveness in assessing student learning; rapport with students and academic colleagues; contributions to curricular development, including the development,

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promotion, promotion, and delivery of off-campus academic programs, either through electronic means or conventional travel to off-campus course locations; and instructional development of faculty colleagues, and professional development activities related to a faculty member's teaching responsibilities. Student course evaluations may not be used for evidence of teaching effectiveness.

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#### 6.5.2 Research, Scholarship, and Creative Activities (if applicable)

Research, Scholarship, and Creative Activities responsibilities and duties may include, but are not limited to: number, quality and importance of publications and creative productions; memberships and contributions to professional societies; professional growth and development; scholarly presentations and creative performances; grants and other external funding; adherence to the ethical and legal standards of scientific or creative inquiry; and contributions to the professional development and achievement of colleagues, and professional development related to a faculty member's research, scholarship, or creative activity responsibilities.

#### 6.5.3 Service and Professional Development (if applicable)

Service and Professional Development responsibilities and duties may include, but are not limited to: contributions within the department, within the Academic Unit or university-wide; contributions to official student organizations or other university-related organizations; other work on behalf of the student body, faculty, staff or administration of the university. Service to the community includes, but is not limited to: service on a compensated or pro-bono basis to governments, to educational, business or civic organizations, or to the public; involvement as an official representative of Marshall University, or units thereof, in activities of governments and of educational, business, or civic organizations. Professional development may be development opportunities undertaken by a faculty member which can be employed for the betterment of their academic unit, the university, or community as a whole.

#### 6.5.4 Academic Unit Criteria

Individual Academic Units are responsible for establishing promotion criteria and procedures for each academic rank. These criteria include the relative weight and impact of the various responsibilities and duties. Individual Academic Units must establish quantifiable rubrics for each criterion to which promotion decisions are based. Such criteria and procedures must be in accordance with this policy and with policy UPAA-20, "Faculty Workload Policy".

#### 6.6 Promotion Year-Date Eligibility

The date on which a faculty member is eligible for promotion will be an explicit and written part of that faculty member's initial offer letter of employment, which is available upon request from the Office of Academic Affairs. This date will include details about when the faculty member should apply for promotion, the date they would be eligible to receive a promotion, and any other pertinent information ensuring that timelines are specified in the initial offer letter. The year in which a faculty member is eligible for promotion will be an explicit and written part of that faculty member's initial offer letter of employment, which is available upon request from the Office of Academic Affairs.

#### 6.6.1 Negotiated time consideration for promotion must be specifically documented in the initial offer letter, which must be included in the promotion application. In general, for faculty applying from outside of Marshall University, the limit on years awarded towards tenure will be no more than three, and no more than one fewer than the number of years the candidate has served in a tenure-track position at a comparable institution.

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**6.6.2** In cases of extraordinary faculty member accomplishments, or the documented

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promise of extraordinary faculty member accomplishments, or the needs of the Academic Unit, that date for promotion and/or tenure application can be renegotiated, and promotion and/or tenure applied for at the renegotiated time. The faculty member, the Department Chair / School Director, or the Dean of the faculty member's Academic Unit may initiate the renegotiation. Any renegotiated date must be approved by the Provost. Faculty will be notified of any change in date by the Provost or designee via [email](#)electronic submission using established procedures with read receipt by February 1 of the Spring Semester before they are eligible for promotion. The faculty member's Department Chair / School Director, Associate Dean and Dean will be copied on this notification.

#### 6.7 **Written Guidelines**

Each Academic Unit and department will develop written guidelines outlining procedures and performance criteria for promotion. Marshall University Board of Governor's rules (MUBOG), including but not limited this current rule, and University Policy UP-AA-20, Faculty Workload. Academic Unit promotion guidelines must be approved by the Academic Unit's faculty, in consultation with the Academic Dean. Department promotion guidelines must be approved by the [Academic Unit's faculty and their Dean](#). Academic Unit and Department / School promotion guidelines must be approved by the [University](#) Faculty Senate's Faculty Personnel Committee and the Provost.

#### 6.8 **Promotion Initiation**

Normally, a faculty member is responsible for initiating their application for promotion. However, a department Chair or a department promotion committee may initiate a proposal for the promotion of any member of the department. [Proposals for the promotion of a Department Chair may be initiated by themselves, by a department/division committee, or by the Dean of the Academic Unit](#). [Proposals for the promotion of a Department Chair may be initiated by himself or herself, by a department/division committee or by the Dean of the Academic Unit](#).

#### 6.9 **Promotion Review Process and Timeline**

The review process of a promotion application will follow the procedure and timeline specified in this Rule.

#### 6.10 **Grievances**

A faculty member denied a promotion may utilize the grievance procedures set out in West Virginia Code §§ 6C-2-1 et seq.

#### 7. **Tenure**

Tenure is designed to ensure academic freedom and to provide professional stability for an experienced faculty member. It is a means of protection against the capricious dismissal of an individual who has served faithfully and well in the academic community. Continuous self-evaluation, as well as regular evaluation by peer and administrative personnel, is essential to the viability of the tenure system.

#### 7.1 **Tenure should never be permitted to mask irresponsibility, mediocrity, or deliberate refusal to meet academic requirements or professional duties and responsibilities.**

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~~deliberate refusal to meet academic requirements or professional duties and responsibilities.~~

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7.2 Tenure is a means of making the profession attractive to persons of ability. There will be demonstrated evidence that tenure is based upon a wide range of criteria, established by the applicable Academic Unit in conformance with this Rule and appropriate to the mission of Marshall University and its respective academic units.

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7.3 Ultimate authority regarding the application this Rule will rest with the President. In making tenure decisions, careful consideration will be given to the tenure profile of the University, projected enrollment patterns, staffing needs, current and projected mission of each department, specific academic competence of the Faculty Member, and preservation of opportunities for infusion of new talent.

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7.4 Tenure is awarded not only for past achievements but also in anticipation of continued achievement in all areas of responsibility.

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7.5 Unless a full-time faculty member hired into a tenure-track faculty line is granted tenure upon hire, the appointment will be probationary.

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## 7.6 Tenure Upon Hire

In some circumstances Marshall University allows tenure to be awarded at the time of hire for established scholars who meet the Institution's standards. There are two distinct groups for which this policy applies:

- Faculty who have previously held tenure at Marshall and who are being hired at Marshall University in an administrative role (e.g., Provost/Vice Provost, Dean/Associate Dean, Chair, and similar positions). These staff may be hired with the tenure that they already possess at Marshall.
- Individuals who have held tenure at another institution and are being hired as faculty or administrators. The remainder of this section describes the process for hiring these individuals with tenure at Marshall.

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7.6.1 The review process for tenure upon hire will be expedited and run concurrently with the interviewing process, and committees will make their decisions independently. For a candidate to receive tenure upon hire, the department committee, Department Chair / School Director, and Academic Unit committee must all make affirmative recommendations to the Dean and Provost. To be eligible for tenure upon hire, a candidate must hold the rank of at least Associate Professor (or equivalent) or higher.

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### 7.6.2 Tenure Upon Hire Process

7.6.2.1 As part of the staffing decision process and prior to commencing searches

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**7.6.2.1** Deans (upon recommendations for Department Chair / School Director) will submit recommendations that specific lines to be designated as "immediate tenure eligible" positions. Upon approval from the President or their designee, the Provost will designate the approved new hire faculty position or combined faculty/administrative position as "immediate tenure eligible."

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7.6.2.2 For administrative searches where there will be a concurrent faculty appointment, the decision to designate the search as "immediate tenure eligible" will be made by the President following consultation with relevant Cabinet members and other administrators.

7.6.2.3 As part of the search process, the position designated as "immediate tenure eligible" will be advertised as such. Candidates will be notified of the conditions that need to be met to be eligible for tenure upon hire (i.e., submission of required documents to the search committee chair who will initiate the process with the reviewing constituencies) once the process is initiated, the Department Chair / School Director, department promotion and tenure committee, and Academic Unit committee will have one week to make their recommendation.

7.6.2.4 If the "immediate tenure eligible" position is for a combined faculty/administrative position, during the on-campus interview process finalists for this position will be scheduled for a one-hour interview with the academic department in which the administrator would have a concurrent faculty appointment.

7.6.2.5 Upon completion of the search and selection of the new hire, the Provost will review the recommendations received from the Department Chair / School Director, department promotion and tenure committee, and Academic Unit promotion and tenure committee and make a final determination of tenure upon hire. The Provost or their designee must consider these recommendations but is not bound by them. The written recommendations (including the Provost's recommendation) must accompany any recommendation for immediate tenure made by the President or designee to the Board but the failure of any of these bodies to make such a recommendation will not preclude the completion of the process to recommend tenure upon hire.

7.6.2.6 Following consultation with the Provost, the President will make the determination whether to award tenure to the candidate upon hire.

## 7.7 Requirements for Tenure

Tenure will not be granted automatically, or for years of service, but will result from a process of peer review and culminate in action by the President. The granting of tenure will be based on the following:

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7.7.1 The candidate is professionally qualified.

7.7.2 The university has a continuing need for a faculty member with the qualifications and competencies of the candidate.

7.7.3 The professional qualifications of a candidate for tenure will be evaluated using the guidelines pertaining to promotion as described in Marshall University Board of Governors rule AA-6, Faculty Ranks.

7.7.4 The candidate must have demonstrated professional performance and achievement in all of their major areas of responsibility. Major categories of faculty responsibilities and duties are:

- Teaching and Advising
- Research, Scholarship, and Creative Activities
- Service and Professional Development

7.7.5 The candidate must have demonstrated exemplary performance in either Teaching and Advising or in Research, Scholarship and Creative Activities. Major attention will be given to the quality and caliber of professional accomplishments and to the future promise as an educator, scholar, and/ or artist.

7.7.6 Tenure may be granted only to probationary faculty who hold the rank of Assistant Professor or above and are classified as tenure-track.

7.8 Tenure-track (probationary) faculty members must be granted tenure before they are eligible for consideration of promotion in academic rank. If promotion and tenure are applied for on the same schedule, the final tenure decision will be made before the final promotion decision. Failure to be granted tenure will result in a negative promotion decision.

7.9 **Probationary Period “Tenure Clock” and Annual Reappointments**

The maximum period of probation at Marshall University is seven years. Before completing the sixth year of a probationary appointment, a non-tenured faculty member will be given written notice of tenure or will be offered a one-year terminal contract of employment for the seventh year. In exceptional cases, newly appointed faculty members may negotiate the use of prior service at other appropriately accredited higher education institutions to reduce the length of the probationary period; denial of tenure under such circumstances will have the same effect as denial of tenure following the standard probationary period.

7.9.1 The length of the probationary period must be established at the time of initial employment by the President, after consultation with the Provost and the appropriate Dean(s), Chair(s) and department faculty and be included in the initial letter of appointment. See University Policy UPAA-21, “Modified Duties for Nine-Month Faculty” for circumstances leading to an extension of the probationary period.

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7.9.2 If the status of a faculty member changes from non-tenure-track to probationary, the time spent at the Marshall University may, at the discretion of the President, in consultation with the Provost, be counted as part of the probationary period. The original hiring agreement must inform the faculty member being employed for a tenure-track position of the option of requesting that their temporary service be counted toward tenure. A probationary faculty member wishing to count years on a temporary appointment as part of the probationary period must make this request at the time of initial appointment to a tenure-track position. If the option is exercised, the faculty member must be cautioned that their years of temporary service will be evaluated by the same criteria as tenure-track service. The request will be initiated through the Department Chair / School Director and will proceed through appropriate channels. Requests made after this time will be denied. If no request is made, the years of the temporary appointment will not be counted as part of the probationary period.

7.9.2.1 This provision only applies to non-tenure track faculty at Marshall University. Non-tenure track positions held at institutions other than Marshall University, will no count towards a faculty members probationary period at the institution.

7.9.3 If a probationary faculty member previously held a full-time non-faculty position, service in the non-faculty position may not be credited towards tenure.

7.9.4 During the tenure-track period, the terms and conditions of every reappointment will be stated in writing, with a copy of the agreement furnished to the individual concerned.

7.9.5 Faculty appointed at times other than the beginning of the academic year may choose to have those periods of appointment equal to or greater than half an academic year considered as a full year of the tenure-track period. Such decision must be made by the end of the fiscal year in which the appointment begins, and is subject to approval by the Provost.

7.9.6 Tenure-track appointments for less than half an academic year may not be counted as part of the tenure-track period.

7.9.7 Unless demonstrated extraordinary circumstances prevent an application during the Critical Year of a faculty appointment, the person who chooses not to apply will not be considered for tenure and will be offered a succeeding one-year terminal contract of appointment. The University Faculty Senate's Faculty Personnel Committee will determine if a Faculty Member has demonstrated extraordinary circumstances preventing them from applying during their Critical Year.

7.9.8 During the probationary period, notices of non-reappointment may be issued for any reason that is not arbitrary or capricious. Any documented information

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**7.9.8** relating to the decision for non-reappointment or dismissal will be provided promptly to the Faculty Member upon request.

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7.9.9 After the decision regarding reappointment or non-reappointment for the following academic year has been made by the President, a probationary Faculty Member will be notified in writing of the decision by letter post-marked and mailed at least one year before the expiration of an appointment. The appointment during the terminal year will be converted a fixed-term, non-tenure-track position.

7.9.10 After the decision regarding reappointment or, pursuant to W. Va. Code §18B-8-5, non-reappointment for the following academic year has been made by the President, the tenure-track Faculty Member may be notified in writing of the decision by letter post-marked and mailed no later than March 1, which will be sent via "Certified Mail-Return Receipt Requested;" First Class mail; and electronic mail with read receipt.

## 7.10 Notifications for Probationary Faculty

### 7.10.1 Initial Notification

During the first term of the appointment, the Department Chair / School Director will notify in writing each probationary faculty member of the requirements and guidelines for tenure, including any which apply specifically within the faculty member's department. The faculty member will acknowledge in writing receipt of this notification. Lack of acknowledgment is not grounds for dismissal, nor is it reason for appealing a denial of tenure.

### 7.10.2 Annual Notification

All probationary faculty members must be notified annually in writing by their Dean of their progress toward tenure and/or promotion. Notifications will identify specific areas of improvement needed for tenure or promotion, if any. (SR-04-05-437) 94 FCAHC).

### 7.10.3 Notification before Critical Year

All probationary faculty members will be notified by the Dean via email electronic submission using established procedures with read receipt by February 1 of the Spring Semester before they are eligible to apply for tenure in the following academic year. The Department Chair / School Director will be copied on this notification.

## 7.11 Tenure Evaluation and Application

7.11.1 Each department and Academic Unit will develop written procedures and performance criteria (including quantifiable rubrics) for implementing the tenure requirements outlined in this Rule. Department and Academic Unit tenure procedures and criteria must be approved by the relevant Dean in consultation with the faculty and approved for consistency with university policies by the

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7.11.1 Faculty Senate's University Faculty Personnel Committee and the Provost.

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7.11.2 Academic Unit tenure guidelines include guidelines to include provisions for external reviews as described in this Rule.

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7.11.3 All tenure-track faculty members will be evaluated by the criteria used for promotion and tenure in their Academic Unit and department via a pre-tenure review. The date of this pre-tenure review must be stated in the initial letter of appointment. An Academic Unit may establish pre-tenure review procedures which vary from those used for a tenure application. The results of this evaluation will be part of any application for tenure. An exceptional evaluation, i.e., the results of which exceed normal expectations as defined by a faculty member's Academic Unit and department tenure guidelines, when verified by the relevant Dean and the Provost, will result in a salary increase as specified in UPA-15, Faculty Salary Increases.

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7.11.4 Each faculty member will have the primary responsibility for initiating their application for tenure. However, the Department/ Chair / School Director or department committee may initiate a recommendation for tenure.

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7.11.5 Unless demonstrated extraordinary circumstances prevent an application for tenure during the Critical Year of a probationary faculty appointment, the person who chooses not to apply will not be considered for tenure and will be offered a succeeding one-year terminal contract of appointment.

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7.12 **Tenure Review Process and Timeline**  
The review process of a tenure application will follow the procedure and timeline specified in this Rule.

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7.13 **Grievances**  
A faculty member denied a tenure may utilize the grievance procedures set out in West Virginia Code §§ 6C-2-1 et seq.

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7.14 **Pausing the "Tenure Clock" Probationary Period Extension**

Probationary tenure-track faculty members may request an extension of their probationary period \*tenure-clock\* for extraordinary circumstances.

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7.14.1 A one-year extension of the probationary period will be granted by the Provost upon request of a probationary faculty member who (1) has or shares primary responsibility for the care of an infant or a newly-adopted child under age five, and who must commit substantial portions of time to this care; (2) faces similar responsibilities associated with a serious health condition of another person; or (3) has a serious health condition. This extension may be granted whether or not sick leave, personal leave, or family and medical leave has been taken. Written requests for such extensions must be made within six months of the event necessitating the request.

7.14.2 There may be other circumstances that require substantial amounts of time or produce excessive stress that would justify extending the probationary period for one year. Examples of such circumstances include (but are not limited to) the disruption of research facilities or the interruption of research for foreign teaching assignments. In such cases, the probationary faculty member may apply in writing to the Provost, who in consultation with the [Faculty Senate's Faculty Personnel Committee](#) will determine whether such an extension should be granted. Any such request for an extension must be made within six months of the occurrence of the circumstance.

7.14.3 There is normally a limit of one such extension of any type during the probationary period. A person may, however, request a second extension through the Provost.

7.14.4 The maximum number of years of extensions to the probationary period is two, unless the faculty member is called to active military duty.

7.14.4.1 Faculty members called to active military duty probationary periods will be extended while on active duty in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

7.14.4.2 This process may be initiated by the faculty member, their immediate supervisor, or their Academic Dean.

## 8. Procedure and Timeline for P/T Application Review

This section lays out the specific steps and timeline used to review an application for promotion and/or tenure.

### 8.1 Deadlines on Business Days

If the date specified for a deadline in this section does not fall on a Business Day, the deadline shall be the next Business Day after the specified date.

8.2 No person, including the applicant, may present information orally to any reviewing person or committee; any such information must be in written form.

8.3 A candidate for tenure or promotion must recuse from considering their own application on any departmental or Academic Unit Promotion and Tenure Committee. If a Department Chair / School Director applies for tenure or promotion, the Dean will select an alternate Department Chair / School Director to evaluate the application.

### 8.4 Simultaneous Application for Promotion and Tenure

In some cases, a candidate may be entitled to apply for tenure and promotion simultaneously. These simultaneous applications follow the same process and timeline and share the same application packet. However, the decision regarding [tenure at each level of review must be made before the decision regarding promotion is made](#).

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tenure at each level of review must be made before the decision regarding promotion is made.

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## 8.5 Withdrawal of Promotion/Tenure Applications

A faculty member may withdraw their application for promotion and/or tenure at any time during the application process prior to **April 20**. A candidate who has applied for both promotion and tenure may withdraw the application for tenure, the application for promotion, or both. The request to withdraw an application must be made in writing to the faculty member's Dean and Provost via [email](#)electronic submission using established procedures with read receipt.

## 8.6 P/T Coordinator

Each Academic Unit will establish a P/T Coordinator who will be responsible for organizing the digital storage structure for application materials and assisting candidates prior to the submission of their packet. The P/T Coordinator will coordinate with the Department Chairs / School Directors and committees at all levels to ensure the appropriate security protocols are in place and the appropriate access to materials is granted to the required parties.

## 8.7 Summary of the P/T timeline

See Appendix 1 for a table summarizing the promotion / tenure timeline.

## 8.8 Letter of Intent

No later than February 28 prior to the year a candidate for tenure intends to submit an application for tenure and/or promotion, the candidate for tenure/ promotion will submit a letter of intent via [email](#)electronic submission using established procedures with read receipt to their Department Chair / School Director indicating they plan to go up for tenure / promotion in the following academic year. This letter of intent will then initiate the external review process (if applicable). The letter also allows the Chair to ensure that a Promotion and Tenure Committee is established, and a Committee Chair is elected for the following academic year. Upon receipt of the letter of intent, the Department Chair / School Director will forward the letter of intent on the candidate's Dean who will record this information in order to prepare for the process that will occur the next academic year.

## 8.9 Candidates should expect to work on their application and packet for

tenure/promotion in the Spring and Summer Semesters prior to the year they plan to apply for promotion. By August 15 in the academic year in which the candidate applies for tenure / promotion, the candidate will submit an application and promotion / tenure packet using the procedures developed by each Academic Unit. The Department Chair / School Director will confirm receipt of the promotion / tenure packet via [email](#)electronic submission using established procedures with a read receipt. Once the Department Chair / School Director has received the candidate's packet, no additional material may be added by the candidate, except those items noted below. Achievements occurring after the submission of the application packet on August 15, may be used in subsequent applications for promotion and changes in employment tracks (i.e., these achievements may be counted in future promotion application packet, but may only be counted at the next successive rank,

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**8.10** The Department Chair / School Director will follow the steps outlined in the

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**8.10** External Review Process of this Rule, if applicable. Once that process is completed (by October 15) the Department Chair / School Director will forward the promotion and all materials relevant to their promotion / tenure application process to the appropriate department/school Promotion and Tenure Committee by October 20.

**8.11** The Department / School Promotion and Tenure Committee will meet at their earliest convenience and review the candidate's materials using evaluation procedures and criteria which have been previously established by departmental by-laws and procedures. The committee will prepare a written recommendation with respect to the qualifications of the candidate for tenure and the Committee Chair submit it to the Department Chair / School Director by November 20 via procedures established for each Academic Unit.

**8.12** Regardless of the outcome, within five days after receiving the committee's recommendation, the Department Chair / School Director will notify the candidate of the Department / School Promotion and Tenure Committee's recommendation, along with rationale, via email with a read receipt.

**8.13** The Department Chair / School Director will review the candidate's packet, as well as the department / school Promotion & Tenure Committee's recommendations, and external review letters and evaluate the candidate's materials using the evaluation procedures and criteria established by departmental bylaws and procedures. The Department Chair / School Director will then prepare a written recommendation either in support or opposition to the candidate's application for tenure. The Department Chair / School Director will have their final recommendation completed by December 15.

**8.14** Regardless of the outcome, the Department Chair / School Director will notify the candidate of their recommendation, along with rationale, via email/electronic submission using established procedures with a read receipt by December 20.

**8.15** If the candidate received a negative recommendation from their Department / School P/T Committee or Department Chair / School Director, they may provide a written response no later than January 3. This response may include a written rationale and written evidence to support their response. Evidence is limited to the specifics of the negative recommendation. The response and evidence (if applicable) will be sent via email with read receipt to their Department Chair / School Director. The candidate's response and additional evidence will be included in the candidate's packet under a folder titled "Responses to Internal Recommendations" and may or may not be used at subsequent steps in the evaluation process. No items other than recommendations / responses, except those outlined below, may be added or deleted from the application after this point.

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8.16 After receiving the candidate's response to the evaluation (if applicable) the

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**8.16** Department Chair / School Director will forward the candidate's application packet, all supporting materials, along with all recommendations, candidate responses (if applicable), external review letters to the candidate's Academic Unit P/T Coordinator by January 6.

**8.17** The P/T Coordinator will submit all applications and recommendations to the appropriate Academic Unit Promotion and Tenure committee by January 8.

**8.18** The P/T Coordinator will notify the Dean that all materials are ready for the Academic Unit Promotion and Tenure Committee by January 9.

**8.19** The Academic Unit Promotion and Tenure Committee will meet at their earliest convenience and review the candidate's materials using evaluation procedures and criteria established by departmental bylaws and procedures. Academic Unit Promotion and Tenure Committees must have representation from each department of the Academic Unit unless a department or has an insufficient number of available tenured faculty members. The committee will evaluate each candidate for tenure, based on established promotion / tenure criteria, evaluation procedures and rubrics established by the bylaws of the Academic Unit. Committees will review applications materials provided by the P/T Coordinator and submit a written recommendation for each candidate, along with all materials received, and Committee Chairs will submit using the submission procedures established by each Academic Unit by February 15.

**8.20** Regardless of the outcome, the P/T Coordinator will notify the Candidate's Department Chair of the Academic Unit Promotion and Tenure Committee's recommendation, along with rationale, via [email](#)electronic submission using established procedures with a read receipt by February 16.

**8.21** The candidate's Department Chair / School Director will notify the candidate of the Academic Unit Promotion and Tenure Committee's recommendation, along with rationale, via email with a read receipt by February 21.

**8.22** No later than February 16, the Academic Unit P/T Coordinator will notify the Dean that the candidate's packet is ready for review. The Dean will review the candidate's packet, as well as the department / school Promotion & Tenure Committee's recommendations, the Department Chair / School Director's recommendations, the Academic Unit Promotion and Tenure Committee recommendations, external review letters, and the candidate's responses to recommendations (if applicable) and evaluate the candidate's materials using evaluation procedures, rubrics and evaluation criteria which have been previously established by departmental by-laws and procedures. The Dean will then prepare a written recommendation either in support or opposition to the candidate's application for tenure. The Dean will file this recommendation in the candidate's electronic tenure package by March 10.

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8.23 The Dean will notify the candidate's Department Chair / School Director of the Dean's recommendations along with rationale, via email/electronic submission using established procedures with read receipt by March 10.

8.24 The Candidate's Department Chair / School Director will notify the candidate of the Dean's recommendation, along with rationale, by March 15 via email/electronic submission using established procedures with read receipt.

8.25 If the candidate received a negative recommendation from their Academic Unit P/T Committee or the Dean, they may provide a written response to that recommendation by March 25. The response may include a rationale and written evidence to support their response. The response and evidence (if applicable) will be sent via email with read receipt to their Department Chair / School Director. The candidate's response and additional evidence will be included in the candidate's packet under a folder titled "Reponses to Internal Recommendations" and may or may not be used at subsequent steps in the evaluation process. No items other than recommendations / responses, except those outlined below, may be added or deleted from the application after this point.

8.26 After receiving the candidate's response to the evaluation (if applicable) the Department Chair / School Director will notify the Academic Unit P/T Coordinator that the response has been added to the candidate's digital files and that is ready for the Provost's review by March 26.

8.27 The Academic Unit P/T Coordinator will verify receipt of response and notify the Provost's office that the candidate's P/T materials are ready for review by March 27.

8.28 The Provost will prepare a written recommendation for each candidate and submit it together with all of the recommendations and application materials received from the Deans to the President by April 20.

8.29 The Promotion and/or Tenure decision will result from action by the President at the conclusion of the Tenure process. The President or designee will prepare a list of those granted Promotion and/or Tenure and send an informational copy to the Chairperson of the University Faculty Faculty Senate and Chairperson of the Senate's Faculty Personnel Committee by April 30 via email with read receipt.

8.30 The President will inform all candidates for Promotion and/or Tenure by written letter and via email with read receipt of their decision by April 30. An applicant denied tenure will be provided a statement of reasons for the action by this date.

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8.31 Once all notifications have been sent out, all application materials, including internal recommendations will be released (unlocked) to each candidate at the

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end of the tenure process. The Provost or designee may retain a copy of all application materials for archival purposes. All application materials and promotion decisions and deliberations will be considered confidential except for circumstances in which a legal "need-to-know" basis has been established.

**8.31** External reviews of a candidate's application will only be released to the candidate in the case of a legal "need-to-know" and following a written request from the candidate to the Provost.

**8.32** The entire tenure/promotion review process must conclude no later than April 30.

## 9. External Review

The purpose of using external reviews as a part of the promotion and tenure process is to advise the university on the broader impact and value of a faculty member's research/scholarly/creative productivity to the discipline. Marshall University uses external reviews to confirm the significance of results arising from the scholarly efforts of a faculty member, but external reviews are not intended to be the sole conclusive elements of a promotion and tenure review. One of the chief purposes of promotion and tenure is to ensure that the university is making progress towards its strategic goals and aspirations, which cannot occur unless advice is continually solicited from those who represent aspirant institutions.

External reviewers will evaluate only the candidates' scholarly achievements and contributions, and no other part of the promotion / tenure packet are subject to external review.

### 9.1 Applicability

External review is only applicable to tenured, probationary, and research-track faculty who are claiming the level of "exemplary" in the area of research/scholarship/creativity in their tenure or promotion application.

### 9.2 Deadlines on Business Days

If the date specified for a deadline in this section does not fall on a Business Day, the deadline shall be the next Business Day after the specified date.

### 9.3 Independent Reviewers

Independent external reviewers are experts in the candidate's discipline, sub-field or area, who are not past mentors, dissertation advisors or frequent or current (within last 5 years) collaborators, who also do not have a personal or financial relationship with the candidate. Individuals who have worked closely with a candidate will not be considered independent if questions may reasonably arise about whether they can provide an unbiased assessment of the candidate's achievements.

### 9.4 For promotion from Assistant Professor to Associate Professor and for tenure applications, no fewer than two (2), and typically no more than five (5) letters from independent external reviewers will be solicited. For promotion from

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Associate Professor to full professor, no fewer than four (4), and typically no more than seven (7), letters will be solicited. When an invited reviewer declines to provide a review, an additional review may be solicited at the discretion of the university. If fewer letters are received than the desired number, the review will go forward with the letters that are received.

- 9.5 External evaluations may also be solicited from external reviewers who are not independent of the candidate. These letters will be treated as letters of support rather than independent reviews. For example, a letter may be solicited from the candidate's thesis or dissertation advisor. The number of letters of support solicited will not exceed the number of independent reviews solicited.
- 9.6 All external evaluations that are solicited, including independent reviews and letters of support, will be included in the candidate's packet provided the evaluations are received before the deadline established by this Rule.
- 9.6.1 External reviewers must hold rank and tenure status equivalent or higher than the level for which the candidate is applying, and be currently active researchers, scholars or artists, or emerging leaders in the field. Reviewers not affiliated with an academic institution (for example, researchers at a national laboratory) must have rank and experience commensurate with that for which the candidate is applying.
- 9.6.2 External reviewers should be affiliated with a department or institution that is a peer or aspirant for the department of the faculty candidate, for example, from Carnegie R1 or R2 or AAU institutions (including medical school colleague institutions as warranted), or with a non-academic institution of national or international impact.
- 9.6.3 The Department Chair / School Director will document all reviewer nominations and the selection process on the required Worksheet for External Evaluators, which will be approved by the Dean and included in the candidate's dossier.
- 9.6.4 The candidate, in consultation with their Department Chair / School Director, will propose a list of potential external reviewers including both independent reviewers and letters of support. The Department Chair / School Director, in consultation with the department Promotion / Tenure committee, will select reviewers from the proposed list.
- 9.6.4.1 The list should include a sufficient number of potential reviewers to yield at least the desired number of independent evaluation letters required to advance the dossier for consideration. The Department Chair / School Director is responsible for properly managing this process and ensuring a sufficient number is achieved to advance the dossier, as required, and will seek well in advance assistance from the Dean to remedy any challenges such as an insufficient number of reviewers.

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9.6.4.2 Academic Unit Deans or designees will conduct a check-in with the Department Chair / School Director in early April of the spring semester prior to the candidate's application for promotion and/or tenure to see if any assistance is needed in securing the sufficient number of evaluation letters.

9.6.4.3 Each department should develop specific written guidelines for soliciting suggestions for reviewers and work to ensure the integrity of the process. That process will include:

- Consideration of names suggested by the candidate;
- Consideration of names proposed by senior faculty and Department Tenure / Promotion Committee members in the same general field as the faculty candidate; and,
- Identification of those nominated reviewers identified by the faculty candidate who are unsuitable due to a real or perceived conflict of interest;
- Construction of the total list of reviewers that includes names suggested by the faculty candidate, as well as those that are not suggested by the candidate (no more than half are expected to be from the candidate).

## 9.7 External Review Process

9.7.1 The timeline for this process is laid out in Appendix 1.

9.7.2 By March 1 of the spring prior to the promotion and tenure review (after receiving promotion eligibility notification) the Department Chair / School Director will solicit suggestions via [email/electronic submission using established procedures](#) with read receipt of potential reviewers from the faculty candidate, the Department Tenure and Promotion Committee, and senior faculty in the same general sub-field as the candidate. Suggestions of external reviewers will be sent via [email/electronic submission using established procedures](#) with read receipt to the Department Chair / School Director and include a short (1 paragraph) rationale of why this reviewer is a good choice to participate in the candidate's external review. The Department Chair / School Director will record potential external reviewers and rationale on the Required External Reviewer Worksheet (see Appendix 2). Nominations must be received by April 30 prior to the fall in which the candidate will submit their application for promotion and/or tenure.

9.7.3 The Department Chair / School Director reviews the nominations via an External Review Worksheet for real or perceived conflicts of interest, and if noted, checks the "no" box in the "Independent Column". If the Department Chair / School Director elects to proceed with soliciting a review from a reviewer that has a potential conflict of interest (either real or perceived), their review will be considered a letter of support.

9.7.4 The Department Chair / School Director will contact prospective reviewers to ascertain their availability to provide a review and notes the response on the

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**9.7.4** External Review Worksheet. This will be completed by May 15 in the spring semester prior to the candidate's review.

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9.7.5 If the list of potential reviewers solicited by the Department Chair / School Director does not yield a sufficient number of independent reviewers, the Department Chair / School Director should consult with the Dean for assistance in securing additional acceptable reviewers. They may reach out to the faculty candidate, the Department Promotion and Tenure Committee and the senior faculty in the same general sub-field as the candidate for this assistance.

9.7.6 The list of reviewers will be sent to the candidate via ~~email~~electronic submission using established procedures no later than

9.7.6 May 15. If the candidate feels that one or more of the selected reviewers has a conflict of interest, bias that materially affects the review, or is otherwise unsuitable as a reviewer, the candidate may appeal to the Dean in writing within 5 Business Days of receiving the list of reviewers. Upon receiving an appeal, the Dean will decide, within 5 Business Days, whether to remove the disputed reviewers from the list. If any reviewers are removed, the Department Chair / School Director will propose replacement reviewers, who may also be appealed by the candidate.

9.7.7 The finalized list of external reviewers will be completed no later than June 1 prior to the fall semester in which the external review will be conducted. By June 10, the Department Chair / School Director will inform the reviewers of the review time (see Appendix 1) and let them know that they will forward the application packet, including relevant work products and summary of the candidate's workload assignment, to the external reviewers for their evaluation by August 20. External reviewers will be provided with a timeline and informed that review letters along with their own curriculum vita must be submitted by September 30.

9.7.8 The Department Chair / School Director will solicit the reviews using the required template (see Appendix 3) including the additional letters from the Academic Dean and Provost to external reviewers which outline Marshall's guidelines for Promotion and Tenure as it relates to research, scholarship, and creative activities. Reviewers are focused on evaluation of the candidate's record of accomplishments in research, scholarship, or creative activities.

9.7.9 The Department Chair / School Director will obtain vita or biography for each reviewer for inclusion with the review letter.

9.7.10 External reviewers' evaluations and vitae must be submitted to the Department Chair / School Director by September 30. Upon receipt of materials from the external reviewer, the Department Chair / School Director /School Director reviews each reviewer's letter and vita to evaluate any professional or personal affiliations or relationships by the reviewer with the candidate. The Chair makes the final determination of Independence, and so notes on the External

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**9.7.10** Reviewer Worksheet. Evaluations not determined to be independent by the Department Chair / School Director /School Director will be included in the packet as letters of support.

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9.7.11 After receipt of letters and vitae, the Department Chair / School Director transmits the Worksheet via [email](#)electronic submission using established procedures with read receipt, codifying the external reviewer process to the Dean for review and approval prior to inclusion in the candidate's dossier by October 5. Once this process is complete and has received the Deans approval, by October 15, the Department Chair / School Director will forward the candidate's entire promotion / tenure application packet to the Department / School Promotion and Tenure Committee so they may begin their review process.

9.7.12 The external review process, along with Department Chair / School Director/ School Director and approval from Dean will be completed by October 15. No external reviews may be added or removed from the candidate's application packet after this time.

9.7.13 All documents for the external review process will be stored in a digital format. Each Academic Unit will establish specific instructions about where files and documents will be stored and how they will be made available to the required internal parties. Required copies of files from the application packet will be sent to external reviewers via [email](#)electronic submission using established procedures, with read receipts.

## 10. Dismissal for Cause

10.1 Causes of Dismissal: The dismissal of a Faculty Member for cause shall be governed by MUBOG Rule- Faculty Conduct, Misconduct, Corrective Action, and Disciplinary Processes and Procedures, which establishes the definitions, categories, and procedural safeguards for disciplinary actions applicable to faculty.

10.2 Faculty dismissal for cause may be effected only in accordance with the procedures and due-process protections outlined in that Rule.

10.3 Grounds for dismissal shall include, but are not limited to, violations of the standards of professional conduct, misconduct, or other actions identified as constituting "adequate cause" under the Faculty Conduct, Misconduct, Corrective Action, and Disciplinary

10.4 Processes and Procedures Rule.

10.4 The President (or designee) shall initiate any proceedings for dismissal in accordance with that Rule, ensuring appropriate notice, opportunity to respond, and peer-review participation consistent with the shared-governance framework established therein.

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**10.5 Faculty Members who refuse to sign or execute an offered annual contract or notice of appointment or reappointment by the date indicated by the University for its execution, or who fail to undertake the duties under such document at a reasonable time, will be deemed to have abandoned their employment with Marshall University and any rights to tenure or future appointment. Faculty Members objecting to terms of such document do not waive their objections to such terms by signing or executing the document.**

**11. Faculty Resignation**

A Faculty Member resigning from an existing appointment during or at the end of the academic year should give notice in writing at the earliest opportunity. Professional ethics dictate due consideration of the University's need to have a full complement of faculty throughout the academic year.

**11.5 Emeritus Status**

The University may recognize Faculty Members who have honorably served Marshall University by awarding the individual the honorary designation of Emeritus as described in Rule MUBOG-AA-15, "Emeritus Status for Retired Employees".

**12. Public Employee Grievance Procedure**

A Faculty Member may utilize the grievance procedures set out in West Virginia Code §§ 6C-2-1 *et seq.*

**13. Delegation**

The Board of Governors delegates to the President, in consultation with the appropriate shared-governance bodies, the authority to adopt additional academic affairs internal policies and procedures to effectuate the implementation of this Board of Governors Rule or in furtherance of any other authority that the Board of Governors has specifically delegated to the President pursuant to this Rule. Any actions taken pursuant to this delegation must be consistent with the guidelines provided by this Rule.

**14. Implementations and Transition Provisions**

**14.1** This Rule shall take effect July 1, 2028, and shall apply to all faculty members hired on or after July 1, 2028.

**14.2 Initial Application to Promotion and Tenure Candidates**

Faculty members hired after June 30, 2028, shall be governed by the procedures, criteria, and timelines outlined in this Rule. The first cohort of faculty eligible for promotion and/or tenure review under this Rule shall be those applying after June 30, 2029 (or during the 2029–2030 Academic Year).

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#### **14.3 Transition Period for Existing Faculty**

A seven-year transition period will follow initial implementation to ensure fairness and orderly adoption.

1. Faculty members hired prior to July 1, 2028, will continue to be governed by the promotion and tenure rule in effect at the time of their initial appointment unless they formally elect to be evaluated under this Rule.
2. Faculty who wish to transition to this Rule must notify their Department Chair / School Director and Dean in writing by September 1, 2028. Once elected, evaluation under this Rule will be binding for all subsequent promotion and tenure considerations.
3. Faculty mid-cycle in their probationary or promotion period at the time of implementation will be allowed to complete their probationary cycle under the rule in effect at the time of their initial hire.
4. Non-tenure faculty members eligible for promotion at a higher rank than the next rank established by this policy (i.e., a faculty member at the rank of instructor who is eligible for the rank of Associate Teaching Professor, may, during this transition period, apply directly to that rank. Each academic unit will establish guidelines to ensure non-tenure track faculty members are promoted to the appropriate rank (based on qualifications) and using a transition period procedure approved by the University Faculty Senate's Faculty Personnel Committee and the Provost. This policy must be equitable across the academic units. After the transition period, faculty members must be promoted through subsequent ranks as established in this rule.

#### **14.4 Sunset of Prior Policies**

All previous Marshall University promotion and tenure policies, including MUBOG-AA-6, MUBOG-AA-7, MUBOG-AA-9, and any Academic Unit or departmental policies derived from them, shall be fully sunset on June 30, 2035 or seven (7) years following the 2028–2029 Academic Year. Beginning on July 1, 2035 (the 2035–2036 Academic Year), this Rule shall serve as the sole governing rule for all promotion and tenure actions at Marshall University.

#### **14.5 Alignment of Academic Unit and Departmental Guidelines**

To ensure uniform implementation and compliance with this Rule, all Academic Units, Colleges, and Departments/Schools shall create, revise, or update their internal governance and personnel policies to align with the provisions, definitions, evaluation standards, and procedural requirements established herein. Each Academic Unit and department shall review and revise (and in some case establish) its internal promotion and tenure guidelines, rubrics, and bylaws to ensure alignment with this Rule. Revised unit-level and departmental documents must be submitted to the University Faculty Senate's Faculty Personnel Committee and the Provost for approval no later than June 30, 2027.

To promote consistency across the institution:

1. Updated unit and departmental guidelines must explicitly reference this Rule as their governing authority.
2. Evaluation rubrics and workload expectations shall be recalibrated to reflect the definitions of performance standards (i.e., "exemplary" and "professional") performance used in this Rule.

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3. Academic Units must update bylaws governing promotion and tenure committee composition, eligibility, and voting procedures to align with the requirements of this Rule.

**14.5.1.1** Specifically, each Academic Unit and Department/School shall establish, revise, or update:

1. Bylaws (all Academic Units, Schools, and Departments)
2. Department-level guidelines and procedures related to promotion and tenure
3. Faculty Workload Policies (Academic Units headed by Deans)
4. Faculty Annual Review processes and procedures (Academic Units headed by Deans Promotion and Tenure Policies/ Guidelines (all Academic Units, Schools, and Departments

**14.5.1.2** The Department Chair/School Director and Academic Dean are responsible for ensuring that these updates are completed by June 30, 2027, and sent to the University Senate Faculty Personnel Committee by July 1, 2027. Department Chair/School Director and Academic Deans cannot unilaterally establish, update/change the policies and procedures without input and approval from their faculty.

**14.5.1.3** Failure to maintain updated and consistent internal policies may result in administrative review by the Office of Academic Affairs, and continued non-compliance may be reported to the Provost for corrective action.

**14.5.1.4** The University Faculty Senate's Faculty Personnel Committee (FPC) and the Office of Academic Affairs may provide guidance and oversight to ensure appropriate and consistent implementation across all Academic Units. All updates at this level must be approved through appropriate University governance processes, including review by the University Faculty Senate's Faculty Personnel Committee and the Provost.

#### **14.5.2 Institutional Policy Alignment**

To ensure consistency across Marshall University's academic-personnel framework, the following University and Board-level policies may be reviewed and updated to align with this Rule:

1. MUBOG Rule AA-1 – Sabbatical Leave
2. UPAA-11 – Personnel Records
3. UPAA-12 – Teaching and Administration
4. UPAA-14 – Rule on Adjunct Faculty
5. UPAA-15 – Faculty Salary Increases
6. UPAA-16 – Salary Increases for Library and Clinical Faculty
7. UPAA-20 – Faculty Workload
8. UPAA-21 – Modified Duties for Nine-Month Faculty
9. UPAA-24 – Temporary Faculty Annual Reports and Years Applied Toward Tenure

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14.5.2.1 The University Faculty Senate's Faculty Personnel Committee, in collaboration with the Office of Academic Affairs, may lead the review and revision of the policies listed above to encourage alignment with the standards, definitions, and procedures established by this Rule.

14.5.2.2 All identified policies shall be reviewed, revised, and approved through appropriate University governance channels no later than April 30, 2028.

14.5.3 Full implementation of Rule AA-6 may be contingent upon the completion and approval of these institutional-level revisions. Failure to revise and update the identified policies by that deadline may delay full implementation of this Rule until the necessary revisions are finalized and approved by the Faculty Senate and the Board of Governors.

14.5.4 The Office of Academic Affairs, in consultation with the Faculty Senate Executive Committee and the University Faculty Senate's Faculty Personnel Committee, shall monitor progress toward completion of these revisions and provide annual status reports to the President and Board of Governors until full alignment is achieved.

#### 14.6 External Review and Evaluation Materials Transition

Starting July 1, 2027, but before the 2028–2029 academic year (policy transition year), departments will update their external review processes to conform to this Rule's requirements for reviewer independence, selection procedures, and documentation (Appendix 2 and Appendix 3).

- All external reviewer solicitation templates and tracking worksheets must be converted to the new institutional format by October 1, 2028.

14. Faculty applying under the legacy rule prior to the sunset date may continue using prior external review forms, provided those reviews are conducted before July 1, 2035. **Implementations and Transition Provisions**

14.1 This Rule shall take effect beginning with the 2028–2029 Academic Year and shall apply to all faculty members hired on or after July 1, 2028.

#### 14.2 Initial Application to Promotion and Tenure Candidates

Faculty members hired on or after the 2028–2029 Academic Year shall be governed by the procedures, criteria, and timelines outlined in this Rule. The first cohort of faculty eligible for promotion and/or tenure review under this Rule shall be those applying during the 2029–2030 Academic Year.

#### 14.3 Transition Period for Existing Faculty

A seven-year transition period will follow initial implementation to ensure fairness.

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and orderly adoption.

1. Faculty members hired prior to July 1, 2028, will continue to be governed by the promotion and tenure rule in effect at the time of their initial appointment unless they formally elect to be evaluated under this Rule.
2. Faculty who wish to transition to this Rule must notify their Department Chair/School Director and Dean in writing by September 1, 2028. Once elected, evaluation under this Rule will be binding for all subsequent promotion and tenure considerations.
3. Faculty mid cycle in their probationary or promotion period at the time of implementation will be allowed to complete their cycle under the rule in effect at the time of their appointment.

#### 14.4 Sunset of Prior Policies

All previous Marshall University promotion and tenure policies, including MUBOG AA-6, MUBOG AA-7, MUBOG AA-9, and any Academic Unit or departmental policies derived from them, shall be fully sunset seven (7) years following the 2028-2029 Academic Year. Beginning with the 2035-2036 Academic Year, this Rule shall serve as the sole governing rule for all promotion and tenure actions at Marshall University.

#### 14.5 Alignment of Academic Unit and Departmental Guidelines

To ensure uniform implementation and compliance with this Rule, all Academic Units, Colleges, and Departments/Schools shall create, revise, or update their internal governance and personnel policies to align with the provisions, definitions, evaluation standards, and procedural requirements established herein. Each Academic Unit and department shall review and revise (and in some case establish) its internal promotion and tenure guidelines, rubrics, and bylaws to ensure alignment with this Rule. Revised unit level and departmental documents must be submitted to the University Faculty Senate Faculty Personnel Committee and the Provost for approval no later than July 1, 2028.

To promote consistency across the institution:

- Updated unit and departmental guidelines must explicitly reference this Rule as their governing authority.
- Evaluation rubrics and workload expectations shall be recalibrated to reflect the definitions of performance standards (i.e., "exemplary" and "professional") performance used in this Rule.
- Academic Units must update bylaws governing promotion and tenure committee composition, eligibility, and voting procedures to align with the requirements of this Rule.

##### 14.5.1 Specifically, each Academic Unit and Department/School shall establish, revise, or update:

1. Bylaws (all Academic Units, Schools, and Departments)
2. Department level guidelines and procedures related to promotion and tenure
3. Faculty Workload Policies (Academic Units headed by Deans)

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4. Faculty Annual Review processes and procedures (Academic Units headed by Deans Promotion and Tenure Policies/ Guidelines (all Academic Units, Schools, and Departments)

**14.5.1.1** The Department Chair/School Director and Academic Dean are responsible for ensuring that these updates are completed in a timely and thorough manner. However, Department Chair/School Director and Academic Deans cannot unilaterally establish, update/change the policies and procedures without input and approval from their faculty.

**14.5.1.2** Failure to maintain updated and consistent internal policies may result in administrative review by the Office of Academic Affairs, and continued non-compliance may be reported to the Provost for corrective action.

**14.5.1.3** The Faculty Personnel Committee (FPC) and the Office of Academic Affairs may provide guidance and oversight to ensure appropriate and consistent implementation across all Academic Units. All updates at this level must be approved through appropriate University governance processes, including review by the Faculty Senate Faculty Personnel Committee and the Provost.

#### **14.5.2 Institutional Policy Alignment**

To ensure consistency across Marshall University's academic personnel framework, the following University and Board-level policies may be reviewed and updated to align with this Rule:

1. MUBOG Rule AA 1 – Sabbatical Leave
2. UPAA-11 – Personnel Records
3. UPAA-12 – Teaching and Administration
4. UPAA-14 – Rule on Adjunct Faculty
5. UPAA-15 – Faculty Salary Increases
6. UPAA-16 – Salary Increases for Library and Clinical Faculty
7. UPAA-20 – Faculty Workload
8. UPAA-21 – Modified Duties for Nine Month Faculty
9. UPAA-24 – Temporary Faculty Annual Reports and Years Applied Toward Tenure

**14.5.2.1** The Faculty Personnel Committee (FPC), in collaboration with the Office of Academic Affairs, may lead the review and revision of the policies listed above to encourage alignment with the standards, definitions, and procedures established by this Rule.

**14.5.2.2** All identified policies shall be reviewed, revised, and approved through appropriate University governance channels no later than the end of Academic Year 2027-2028.

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**14.5.3** ~~Full implementation of Rule AA-6 may be contingent upon the completion and approval of these institutional level revisions. Failure to revise and update the identified policies by that deadline may delay full implementation of this Rule until the necessary revisions are finalized and approved by the Faculty Senate and the Board of Governors.~~

**14.5.4** ~~The Office of Academic Affairs, in consultation with the Faculty Senate Executive Committee and the University Senate Faculty Personnel Committee, shall monitor progress toward completion of these revisions and provide annual status reports to the President and Board of Governors until full alignment is achieved.~~

#### **14.6 External Review and Evaluation Materials Transition**

~~During the 2028-2029 transition year, departments will update their external review processes to conform to this Rule's requirements for reviewer independence, selection procedures, and documentation (Appendix 2 and Appendix 3).~~

- ~~All external reviewer solicitation templates and tracking worksheets must be converted to the new institutional format by October 1, 2028.~~
- ~~Faculty applying under the legacy rule prior to the sunset date may continue using prior external review forms, provided those reviews are conducted before July 1, 2035.~~

#### **15. Policy Review**

~~No later than July 1, 2035, the University Faculty Senate's Personnel Committee shall conduct a comprehensive review of this Rule and its institutional implementation and shall recommend any necessary amendments to the Provost and Board of Governors for approval prior to the full sunset of prior policies. The University Faculty Senate Personnel Committee will review this rule every five years, thereafter, and will propose revisions to the rule as needed to meet institutional needs.~~

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Appendix 1

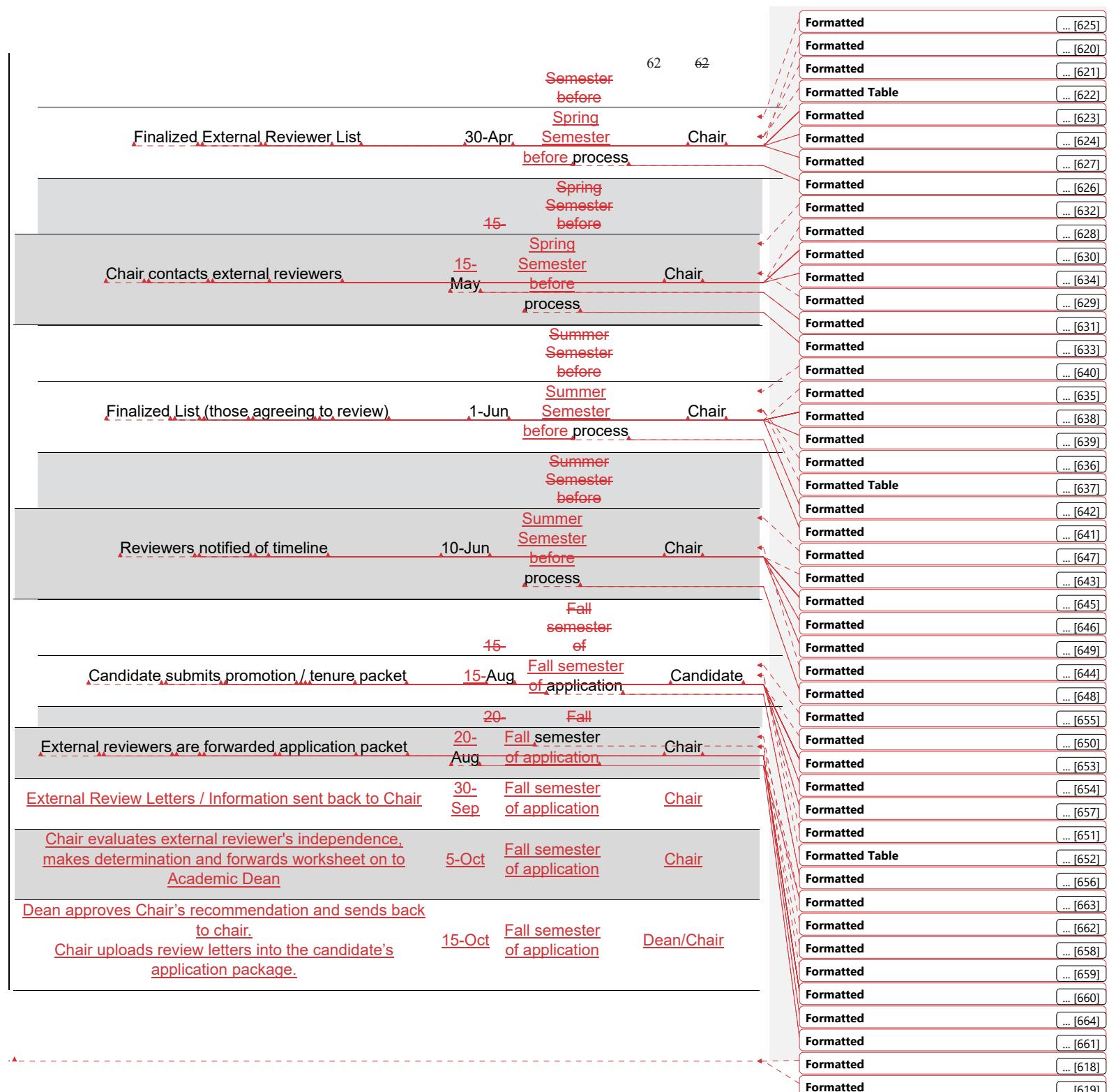
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Promotion / Tenure Timeline

*If the date specified for a deadline does not fall on a Business Day, the deadline shall be the next Business Day after the specified date.*

Item	Date	Semester	Responsible party
		Spring Semester before	
Promotion / Tenure Notification Eligibility	1-Feb	Spring Semester before	Dean process
		Spring Semester	
Faculty Candidate Submits letter of intent for promotion/tenure	28-Feb	Spring Semester before process	Candidate
	Feb	process	Candidate
		Spring Semester	
Chair notifies Academic Unit P/T Coordinator and Dean of candidate's intent	1-Mar	Spring Semester before process	Chair
of candidate's intent	1-Mar	process	Chair
Academic Unit P/T Coordinator create file / document storage structure and grant appropriate access to files / folders	1-Mar	Semester before process	P/T Coordinator
storage structure and grant appropriate access to files / folders	1-Mar	process	P/T Coordinator
Chair solicits external reviewer suggestions	1-Mar	Spring Semester before process	Chair
		Spring	

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<u>Promotion / Tenure Application Packet ready for department P/T Committee review</u>	<u>20-Oct</u>	<u>Fall semester of application</u>	<u>Chair</u>
<u>Department P/T Recommendations due to Chair</u>	<u>20-Nov</u>	<u>Fall semester of application</u>	<u>Chair Department P/T Committee</u>
<u>Chair notifies candidate of Department level review results</u>	<u>25-Nov</u>	<u>Fall semester of application</u>	<u>Chair</u>
<u>Chair completes evaluation of candidate's packet</u>	<u>15-Dec</u>	<u>Fall semester of application</u>	<u>Chair</u>
<u>Chair notifies the candidate of the results of Department and Chair evaluations</u>	<u>20-Dec</u>	<u>Fall semester of application</u>	<u>Chair</u>
<u>Candidate responds to Chair regarding any negative recommendations</u>	<u>3-Jan</u>	<u>Spring Semester</u>	<u>Candidate</u>
<u>Chair sends any response materials to Academic Unit P/T Coordinator</u>	<u>6-Jan</u>	<u>Spring Semester</u>	<u>Chair</u>
<u>All application materials ready for the Academic Unit P/T Committee</u>	<u>8-Jan</u>	<u>Spring Semester</u>	<u>Academic Unit P/T Coordinator</u>
<u>P/T Coordinator notifies Dean that Academic Unit P/T committee is ready to review</u>	<u>9-Jan</u>	<u>Spring Semester</u>	<u>Academic Unit P/T Coordinator</u>
<u>Academic Unit P/T Committee submits their recommendations</u>	<u>15-Feb</u>	<u>Spring Semester</u>	<u>Chair of Academic Unit P/T Committee</u>
<u>Academic Unit P/T Coordinator will notify candidate's chair about Academic Unit review</u>	<u>16-Feb</u>	<u>Spring Semester</u>	<u>Academic Unit P/T Coordinator</u>
<u>Academic Unit P/T Coordinator will notify candidate's Dean that application packets are ready for review</u>	<u>16-Feb</u>	<u>Spring Semester</u>	<u>Academic Unit P/T Coordinator</u>
<u>Candidate's Chair will notify candidate of outcome of the Academic Unit P/T Committee</u>	<u>21-Feb</u>	<u>Spring Semester</u>	<u>Chair</u>
<u>Dean submits their recommendation</u>	<u>10-Mar</u>	<u>Spring Semester</u>	<u>Dean</u>
<u>Academic Unit P/T Coordinator will notify Candidate's Chair of Academic Unit P/T Committee and Dean's Recommendations</u>	<u>11-Mar</u>	<u>Spring Semester</u>	<u>Academic Unit P/T Coordinator</u>
<u>Candidate's Chair notifies candidate of the outcome of the Dean's review</u>	<u>16-Mar</u>	<u>Spring Semester</u>	<u>Chair</u>
<u>Candidate may submit response to the Academic Unit P/T Committee's recommendation and/or the Dean's recommendation to their Department Chair.</u>	<u>25-Mar</u>	<u>Spring Semester</u>	<u>Candidate</u>

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<u>Chair will notify the Academic Unit P/T Coordinator that response has been received and uploaded.</u>	<u>26-Mar</u>	<u>Spring Semester</u>	<u>Chair</u>
<u>Academic Unit P/T Coordinator will verify receipt of responses and forward application packets to CAO's office</u>	<u>27-Mar</u>	<u>Spring Semester</u>	<u>Academic Unit P/T Coordinator</u>
<u>The Provost reviews all application materials and prepares a written recommendation to the President.</u>	<u>20-Apr</u>	<u>Spring Semester</u>	<u>Provost</u>
<u>President (or designee) will prepare a list of those promoted and/or granted tenure and sends an informational copy to the Chair of the University Faculty Senate Personnel Committee.</u>	<u>30-Apr</u>	<u>Spring Semester</u>	<u>President</u>
<u>President will inform all candidate by written letter and via email with read receipt of their decision.</u>	<u>30-Apr</u>	<u>Spring Semester</u>	<u>President</u>

		<u>of application</u>	
		<u>Fall semester of application</u>	
<u>External Review Letters / Information sent back to Chair</u>	<u>30-Sep</u>	<u>application</u>	<u>Chair</u>
<u>Chair evaluates external reviewer's independence, makes determination and forwards worksheet on to Academic Dean</u>	<u>5-Oct</u>	<u>application</u>	<u>Chair</u>
<u>Dean approves Chair's recommendation and sends back to chair.</u>		<u>Fall semester of application</u>	
<u>Chair uploads review letters into the candidate's application package.</u>	<u>15-Oct</u>	<u>application</u>	<u>Dean/Chair</u>
<u>Promotion / Tenure Application Packet ready for department P/T Committee review</u>	<u>20-Oct</u>	<u>application</u>	<u>Chair</u>
		<u>Fall semester of application</u>	
<u>Department P/T Recommendations due to Chair</u>	<u>20-Nov</u>	<u>application</u>	<u>Chair</u>
		<u>Department P/T Committee</u>	
<u>Chair notifies candidate of Department level review results</u>	<u>25-Nov</u>	<u>application</u>	<u>Chair</u>
		<u>Fall semester of application</u>	
<u>Chair completes evaluation of candidate's packet</u>	<u>15-Dec</u>	<u>application</u>	<u>Chair</u>
		<u>Fall semester of application</u>	
<u>Chair notifies the candidate of the results of Department</u>	<u>20-</u>	<u>application</u>	

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			Chair	
and Chair evaluations				
Candidate responds to Chair regarding any negative recommendations	3-Jan	Spring Semester	Candidate	
Chair sends any response materials to Academic Unit P/T Coordinator	6-Jan	Spring Semester	Chair	
All application materials ready for the Academic Unit P/T Committee	8-Jan	Spring Semester	Academic Unit P/T Coordinator	
P/T Coordinator notifies Dean that Academic Unit P/T committee is ready to review	9-Jan	Spring Semester	Academic Unit P/T Coordinator	
Academic Unit P/T Committee submits their recommendations	15-Feb	Spring Semester	Chair of Academic Unit P/T Committee	
Academic Unit P/T Coordinator will notify candidate's chair about Academic Unit review	16-Feb	Spring Semester	Academic Unit P/T Coordinator	
Academic Unit P/T Coordinator will notify candidate's Dean that application packets are ready for review	16-Feb	Spring Semester	Academic Unit P/T Coordinator	

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Candidate's Chair will notify candidate of outcome of the Academic Unit P/T Committee	21 Feb	Spring Semester	Chair
Dean submits their recommendation	10 Mar	Spring Semester	Dean
Academic Unit P/T Coordinator will notify Candidate's Chair of Academic Unit P/T Committee and Dean's Recommendations	11 Mar	Spring Semester	Academic Unit P/T Coordinator
Candidate's Chair notifies candidate of the outcome of the Dean's review	16 Mar	Spring Semester	Chair
Candidate may submit response to the Academic Unit P/T Committee's recommendation and/or the Dean's recommendation to their Department Chair.	25 Mar	Spring Semester	Candidate
Chair will notify the Academic Unit P/T Coordinator that response has been received and uploaded.	26 Mar	Spring Semester	Chair
Academic Unit P/T Coordinator will verify receipt of responses and forward application packets to Provost's office	27 Mar	Spring Semester	Academic Unit P/T Coordinator
The Provost reviews all application materials and prepares a written recommendation to the President.	20 Apr	Spring Semester	Provost
President (or designee) will prepare a list of those promoted and/or granted tenure and sends an informational copy to the Chair of the University Faculty Senate Personnel Committee.	30 Apr	Spring Semester	President
President will inform all candidate by written letter and via email with read receipt of their decision.	30 Apr	Spring Semester	President

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**Appendix 2**  
**External Reviewer Selection Worksheet**

<b>Candidate Information</b>	
<b>Name</b>	
<b>Current Rank &amp; Department</b>	
<b>Years in Current Rank</b>	
<b>Decision Deadline, if any</b>	
<b>Review Type</b>	<input type="checkbox"/> <input checked="" type="checkbox"/> Tenure and Promotion to Associate Professor <input type="checkbox"/> <input checked="" type="checkbox"/> Promotion to Full Professor
<b>Briefly explain your process for assembling the list of potential reviewer names; this should be a collaborative process with senior faculty participation.</b>	

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Please include ALL suggestions on both lists, even if the lists overlap.

Department's Suggestions	Candidate's Suggestions

Name, affiliation	Rank	Prior reviewer	Not collaborator or co-author	No personal relationship	Not a former colleague	Designated as (pick one)
						Unit List
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**Please explain any overlap between the prior promotion reviewers and the proposed reviewers for the current promotion.**

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**Appendix 3**  
**External Reviewer Solicitation Template**

Dear Referee:

Marshall University is evaluating **[name of candidate]** for **[tenure and promotion to associate professor; tenure-only; promotion to full professor]** appointed in the Department(s) of **[name of department(s)]**.

Marshall University is a nationally recognized R2 located in the state of West Virginia. Because you are recognized as a leading scholar in **[name of candidate]**'s field, we would appreciate your assistance in assessing his/her record of work. Marshall University values an inclusive view of scholarship and/or creative activities in the recognition that knowledge is acquired and advanced through discovery, integration, application, **creative endeavors**, and teaching, as outlined in our Promotion and Tenure Guidelines which are included with this letter. Given this perspective, promotion and tenure reviews, as detailed in the criteria of individual departments and colleges (included with this document), will recognize original research, creative **activities**, and scholarly contributions in peer-reviewed publications, exhibitions, performances, presentations, reviews, or other documentation of **creative activities and scholarly contributions** as well as integrative and applied forms of scholarship and/or creative activities that involve cross-cutting collaborations with business and community partners, including translational research, commercialization activities, patents, creative activities, performances, and grants.

In your letter, please note how well you know the candidate professionally and/personally. If you have collaborated with the candidate within the last five years, we will appreciate your describing the nature and extent of your collaborations. This will help us understand your perspective on this candidate and any potential conflicts of interest.

We have attached the following materials to help you evaluate **[name of candidate]**'s record:

1. a curriculum vitae;
2. a statement in which he/she explains his/her program of work;
3. copies of the University Promotion and Tenure policy;
4. copies of our departmental and college promotion/tenure guidance;
5. a timeline of the external review process; and
6. a representative set of **[examples: articles; slides; audio and/or video recordings]**.

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In addition, their workload has typically been [2-1, 2-2, 3-3, etc.] courses/year with the allocation of effort associated to be X% instruction, X% research/scholarship, X% service, and/or X% administrative. *If applicable, A note, [name of candidate] had been automatically granted an extra year toward tenure and promotion and no negative inference should be inferred.*

We appreciate your providing a detailed assessment of the strengths and weaknesses of the candidate's scholarly and research record. Please focus your review comments to the research/scholarly/creative accomplishments and the potential for the candidate to add to the discourse of the discipline.

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## **MARSHALL UNIVERSITY BOARD OF GOVERNORS**

### **Rule No. AA-6**

#### **Faculty Classification, Types and Conditions of Appointment, Ranks, Promotion, Tenure, Dismissal for Cause, and Resignation**

##### **1. General Information**

###### **1.1 Purpose**

The policy on "Faculty Classification, Types and Conditions of Appointment, Ranks, Promotion, Tenure, Dismissal for Cause, Resignation, & Emeritus Status" encompasses a comprehensive framework designed to manage the professional lifecycle of faculty members within Marshall University. The objective of this policy is to establish equitable and appropriate criteria, eligibility, expectations, notification, procedures, and standards for faculty from their initial appointment through to their potential transition to emeritus status, and the formation of promotion / tenure policies at the Academic Unit and Department levels.

###### **1.2 Scope**

This Rule relates to the appointment, classification, rank, promotion, tenure, reappointment, or dismissal for cause of faculty. This Rule applies to all faculty members at all colleges and schools at Marshall including the Joan C. Edwards School of Medicine.

###### **1.3 Authority: W. Va. Code §18B-1-6**

###### **1.4 Passage Date: [TBD]**

###### **1.5 Effective Date: 2028-2029 Academic Year (See Section 14 for implementation and transition provisions).**

###### **1.6 Superseding Provisions**

This Rule supersedes and replaces Higher Education Policy Commission Series 9 – Academic Freedom, Professional Responsibility, Promotion, and Tenure; and any other Rule of the Higher Education Policy Commission which relates to the subject matter contained within this Rule. This Rule also repeals and supersedes MUBOG-AA-6 – Faculty Promotion, MUBOG-AA-7 – Faculty Promotion, MUBOG-AA-8 – Termination of Faculty Due to Program Reduction or Discontinuance, MUBOG-AA-9, and any other internal academic affairs policy or procedure which relates to the subject matter contained within this Rule.

## 2. Definitions

### 2.1 Academic Rank

“Academic Rank” means the level of position held by a Faculty Member. Faculty ranks include Professor, Associate Professor, Assistant Professor, Senior Instructor, Instructor, and Research Scholar. The title used by a faculty member is typically a combination of an Academic Rank and a Faculty Classification.

### 2.2 Academic Unit

An academic unit is a major administrative division of the university, which is typically headed by a Dean. For the purposes of this policy, “Academic Unit” refers to units listed in Bylaw 14 of the Faculty Senate.

### 2.3 Board of Governors

“Board of Governors” means the Board of Governors (BOG) at Marshall University.

### 2.4 Business Day

A “Business Day” is a day when Marshall’s Huntington campus is open for business, including days when the university is open but classes are not held. Business Days do not include weekends, University holidays, or other days when the Huntington campus is closed.

### 2.5 Department Chair / School Director

A “Department Chair / School Director” is a faculty member in an academic department within an academic school or college whose role is to manage that department. School directors who manage a major subdivision of an Academic Unit and report through a Dean also fulfill the role of Department Chair / School Director. When a School is freestanding and not part of a college, it is managed by a Dean who is not a Department Chair / School Director.

### 2.6 Critical Year

“Critical Year” means the penultimate year of the tenure-track period, which typically is the sixth year. The candidate applies for tenure during the Critical Year.

### 2.7 Dean

A “Dean” is a university officer who is the head of a particular Academic Unit and its associated faculty. For the purposes of this policy, “Dean” includes the top-level administrator for each Academic Unit. A Dean serves as their academic unit’s chief academic officer and reports to the Provost for all academic related matters, including (but not limited to) rules, policies, regulations, and procedures related to faculty.

### 2.8 Designated Faculty Prefixes

“Designated Faculty Prefixes” refers to “Adjunct-,” “Clinical-,” “Dual-Credit-,” “Research-,” “Teaching-,” or “Visiting-,” as applicable to describe the Faculty Member’s connection or function within the University.

**2.9 Faculty**

“Faculty” “refers to the class of individuals who are specifically appointed as such by the President including, but not limited to, faculty with academic rank as well as such professional personnel such as librarians, faculty equivalents, and academic professionals.

**2.10 Faculty Classification**

“Faculty Classification” refers to the different categories of faculty members (holding academic rank), such as Tenured, Tenure-track, Non-tenure track, Clinical-track, Librarian-track, and Research-track. Each classification has distinct roles, responsibilities, and eligibility criteria for benefits and promotions.

**2.11 Faculty Equivalent**

“Faculty Equivalent” refers to certain non-tenure-track positions that, while distinct from other Marshall faculty, are counted as faculty rather than staff. These include certain positions in the Autism Training Center and certain athletic coaches.

**2.12 Faculty Member**

“Faculty Member” means an individual member of the Faculty.

**2.13 Full-time**

“Full-time” means a 1.0 FTE equivalent position for the contract year.

**2.14 President**

“President” means the President of Marshall University or the President’s designee.

**2.15 Probationary Period**

The time during which a faculty member has been hired on the tenure track but has not yet been granted or denied tenure. During this period, the candidate demonstrates their fitness for tenure.

**2.16 Provost**

“Provost” means Marshall University’s highest ranking academic officer. In this role, all academic Deans or equivalents (for academic matters) report to the Provost who oversees all matters related to academic affairs. The Provost oversees the operations of academic affairs matters, including policies related to faculty. The Provost is the chief academic officer of Marshall University and oversees all Deans, regarding academic and faculty matters.

**2.17 Tenure**

Tenure at Marshall University provides for a continuing series of appointments which may be terminated by the university only for cause, under extraordinary circumstances, or in the event of a reduction or discontinuance of a program.

### **3. Faculty Classifications**

This section typically delineates the different categories of faculty members, such as adjunct-faculty, dual-credit instructor, tenured, tenure-track, clinical-track, teaching-track, librarian-track, and research-track. Each classification has distinct roles, responsibilities, and eligibility criteria for benefits and promotions.

#### **3.1 Adjunct-Instructor-Track**

Adjunct Faculty are instructors who teach part-time. The teaching loads for adjunct instructors are limited by University Policy UPAA-14, “Rule on Adjunct Faculty.” Adjunct Faculty are not eligible for promotion or tenure and are hired on an “as needed basis.”

#### **3.2 Dual-Credit Instructor-Track**

Dual Credit Instructors are typically employed by secondary schools who, in partnership with Marshall University, offer Marshall courses to high school students, who receive both high school and college credit for these courses upon successful completion. These faculty serve as the instructor of record for dual credit courses and hold the rank of Instructor.

#### **3.3 Tenured**

Those Faculty Members who have attained tenure status as determined by the President. Tenured appointments are normally full-time for the academic year. Based on the policies and procedures for promotion, tenured faculty (who are normally granted promotion after being granted tenure) may be promoted through the ranks listed below.

- Assistant Professor
- Associate Professor
- Professor

#### **3.3.1** Under special circumstances, if requested by a Faculty Member and approved by the President, a full-time tenured appointment may be converted to a part-time or zero FTE tenured appointment for a specified period of time, normally not to exceed one calendar year per occurrence. At the conclusion of the approved period of time or an approved extension thereof, the Faculty Member returns to a full-time tenured appointment unless the Faculty Member chooses not to return to a full-time tenured appointment. Upon such an election, the Faculty Member's employment ceases. This section does not apply to actions associated with phased retirement programs.

#### **3.4 Tenure-Track**

Those Faculty Members who normally have been appointed on a full-time basis and have been designated by the President as being in a tenure-track position and until they have been granted tenure are considered probationary. Based on the policies and procedures for promotion, tenure-track faculty may be promoted through the ranks listed below.

- Assistant Professor
- Associate Professor
- Professor

**3.4.1** Time spent in a part-time tenure-track appointment at least one-half of the contract period is normally not included in the calculation of years of service for the purposes of tenure nor will it result in any de facto award of tenure.

**3.4.2** Under special circumstances, if requested by a Faculty Member through appropriate channels and approved by the Provost, a full-time tenure-track appointment may be converted to a part-time or zero FTE tenure-track appointment for a specified time period, normally not to exceed one calendar year per occurrence. At the conclusion of the approved period or extension thereof, the Faculty Member returns to a full-time tenure-track appointment unless the Faculty Member chooses not to return to a full-time tenure-track appointment. Upon such election, the Faculty Member's employment ceases.

**3.5 Clinical-Track**

Clinical faculty (or “practice” faculty) must have significant professional work experience outside of higher education practicing their professions. Clinical faculty do not generally teach didactic classroom-based courses; rather, they teach experiential and clinically based courses where students are practicing what they learned in didactic courses in authentic settings with clients or patients. Although not eligible for tenure, clinical faculty have ongoing appointments. Based on the policies and procedures for promotion, clinical faculty may be promoted through the ranks listed below.

- Clinical Instructor
- Clinical Assistant Professor
- Clinical Associate Professor
- Clinical Professor

**3.6 Librarian-Track**

Librarian faculty are appointed by the President to provide instructional services at Marshall University Libraries. Appointment of librarians will follow the same procedures that are established for appointing all institutional faculty members and appointment to any rank will meet the criteria appropriate to that rank.

Although not eligible for tenure, librarian faculty have ongoing appointments and may, based on the nature of their appointment and job duties use the term Librarian following their listed academic rank (except for those ranked as Instructor). Based on the policies and procedures for promotion, librarian faculty may be promoted through the ranks listed below. Their appointment may be full-time equivalent or part-time.

- Instructor / Librarian I
- Assistant Professor / Librarian II
- Associate Professor / Librarian III
- Professor / Librarian IV

### **3.7 Research-Track**

Research Faculty are primarily hired through research-based funding to engage in scholarly activities. They are not eligible for tenure and their appointments are contingent based on research funding. They may do some teaching and/or perform university service. Based on policies and procedures for promotion, research faculty may be promoted through the ranks listed below.

- Research Scholar
- Research Assistant Professor
- Research Associate Professor
- Research Professor

### **3.8 Teaching-Track**

Teaching-Track Faculty are hired for specified terms. An additional contract may be offered at the end of each term. Teaching-Track faculty are hired primarily to teach didactic courses and to perform some university service. Based on policies and procedures for promotion, term faculty may be promoted through the ranks listed below. Those Faculty Members who have been appointed by the President as Teaching-Track Faculty may hold an Academic Rank. The appointment may be full-time or part-time. Based on policies and procedures for promotion, teaching faculty may be promoted through the ranks listed below.

- Instructor
- Senior Instructor
- Assistant Teaching Professor
- Associate Teaching Professor
- Teaching Professor

#### **3.8.1 Limitations on Number of Teaching-Track Faculty**

With the exception of the School of Medicine, full-time appointments to the teaching-track and clinical-track will not exceed thirty percent (30%) of the total number of full-time faculty. The Provost has the authority to grant exceptions to the threshold.

#### **3.8.2 Appointment Length**

Upon appointment to a teaching-track, a Faculty Member may be eligible to receive reappointment (i.e., employment contracts); terms lengths are dependent upon rank and employment contracts may be terminated due to program elimination, strategic realignment, budget constraints, faculty misconduct (cause), or persistent and documented performance issues.

- 3.8.2.1** Rank of Instructor: 3-year term.
- 3.8.2.2** Rank of Senior Instructor: 4-year term.
- 3.8.2.3** Rank of Assistant Teaching Professor: 5-year term.
- 3.8.2.4** Rank of Associated Teaching Professor: 6-year term.
- 3.8.2.5** Rank of Teaching Professor: 7-year term.

### **3.9 Visiting Faculty**

Faculty Members who have been appointed by the President but have not been appointed in a tenure-track, clinical-track, librarian-track, teaching-track, or as having tenured status. Appointment of such faculty may be full-time equivalent or part-time.

#### **3.9.1 Reappointment**

The reappointment of visiting-track appointments will not create any presumption of a right to appointment as tenure-track or tenured faculty.

#### **3.9.2 Other non-tenure-track full-time faculty appointments may be used only if one or more of the following conditions prevail:**

**3.9.2.1** The position is funded by a grant, contract, or other source that is not a part of the regular and on-going source of operational funding.

**3.9.2.2** The position is created for the temporary replacement of an individual on sabbatical or other leave of absence. Appointments to such positions are outside tenure-track status, are subject to reappointed annually, and normally may not exceed three years.

**3.9.2.3** The position is created to fill an essential teaching post immediately, pending a permanent appointment through a regular search and screening process. Appointments to such positions are outside tenure-track status, are subject to reappointed annually, and normally may not exceed three years.

**3.9.2.4** The position is temporary to meet transient instructional needs, to maintain sufficient instructional flexibility to respond to changing demand for courses taught, or to meet other institutional needs. The appointee is to be notified at the time of the appointment. Appointments to such positions are outside tenure-track status, are subject to be reappointed annually, and normally may not exceed six years.

**3.9.2.5** The position is a secondary appointment for a person who has a primary appointment as an administrator or to perform other noninstructional duties. Any faculty rank or teaching associate with such a position is considered temporary and may be reappointed on an annual basis. The appointee must be notified in writing of the status of any Academic Rank.

**3.9.3** Appointment to a non-tenure-track full-time faculty position will create no right or expectation of continued appointment beyond the period of appointment.

**3.10** Clinical-track, librarian-track, research-track, teaching-track faculty, and other non-tenure track faculty hold appointments that are not subject to consideration for tenure, regardless of the number, nature, or time accumulated in such appointments. Clinical-track, librarian-track, research-track, teaching-track, and

visiting faculty appointments are only for the periods and for the purposes specified, with no other interest or right obtained by the person appointed by virtue of such appointment. Because the Faculty Member thus appointed is not on the tenure-track, the notice provisions set out in Section 7 below do not apply.

### **3.11 Librarian-Track**

Faculty members appointed as Library Faculty may be full-time or part-time, as specified in their employment letter.

### **3.12 Faculty Appointments – General**

Other appropriate titles which more accurately indicate the nature of a faculty member's position may be used at the discretion of the President in consultation with the Provost and the University Faculty Senate's Faculty Personnel Committee.

### **3.13 Faculty with Administrative Appointments – General**

Persons assigned full-time or part-time to administrative or staff duties at the University may be appointed to, or may retain, Academic Ranks in addition to any administrative or staff title, following consultation with appropriate academic units. Such persons will be informed in writing at the time of the appointment whether the faculty rank is as a tenured, tenure-track, clinical-track, librarian-track, teaching-track, or other non-tenure-track member of the faculty.

Administrative or staff personnel who are not appointed to a faculty position are not faculty and therefore are not entitled to the protections provided by this policy.

**3.13.1** In addition to their regular administrative duties, each campus administrator who also holds Academic Rank, pursuant to W. Va. Code § 18B-8-6(b), will teach at least one (1) course during each eighteen-month employment period or perform ongoing research or creative activity.

## **4. Faculty Types and Conditions of Appointment**

**4.1** Full-time appointments to the faculty of Marshall University, other than those designated as adjunct, dual-credit, clinical-track, librarian-track, research-track, teaching-track, or other non-tenure-track, will be either tenured or tenure-track.

**4.2** All clinical-track, librarian-track, research-track, teaching-track, and other non-tenure-track appointments, as defined in Section 3 of this Rule, will be neither tenured or tenure-track, but will be appointments only for the periods and for the purposes specified, with no other interest or right obtained by the person appointed by virtue of such appointment.

**4.3** The appointment of a person to a full-time position on any of Marshall's additional locations is made subject to the following conditions:

**4.3.1** A full-time appointee will render full-time service to Marshall. The University

expects its faculty to give full professional effort to assignments of teaching, research/scholarship/creativity, and service. It is, therefore, inappropriate to engage in gainful employment outside the institution that interferes with the Faculty Member's responsibilities at Marshall University or employment that is otherwise incompatible with the Faculty Member's contractual commitment to Marshall University. Moreover, it is inappropriate to use University resources to transact private business. Outside activities which are restricted below in subsection 4.3.3 will not be restricted unless such activities or employment interfere with the adequate performance of institutional duties.

**4.3.2** If outside employment or service is undertaken without express prior approval and if it interferes with the performance of the regular institutional duties and responsibilities of the appointee, the President in consultation with the Provost, has a right to (a) require the appointee to cease such outside employment or service which interferes with institutional duties and responsibilities of the appointee, (b) make such adjustments in the compensation paid to such appointee as are warranted by the appointee's services lost to the University and by the appointee's use of institutional equipment and materials, or (c) dismiss for cause as set out in section 9 below.

**4.3.2.1** If an accrediting body of a Marshall University program requires a faculty member to maintain their professional certifications and/or licenses through employment activities outside of the required Marshall University responsibilities of teaching, research/scholarship/creativity, and service, faculty members will receive up to a 3-credit-hour course release to maintain that certification/licensure and will not see an adjustment to their Marshall University compensation package. Each Academic Unit will develop guidelines for the implementation of this provision, and will submit it to the University Faculty Senate's Faculty Personnel Committee for approval.

**4.3.2.2** The course-release provided in 4.3.2.1, of this rule, does not apply to faculty members appointed to positions in the School of Medicine.

**4.3.3** The University may permit and encourage a reasonable amount of personal professional activity, such as consulting, by a Faculty Member outside the Faculty Member's duties and responsibilities of employment by and for the University, provided such activity: (1) further develops the Faculty Member professionally, (2) does not interfere with duties and responsibilities to the University, and (3) is undertaken in a manner consistent with the requirements of other applicable Board rules.

**4.4** The Provost will develop a form for faculty to report any outside activities and any associated conflicts of interest. This form will be submitted by faculty annually (when there are outside activities to report) and will be reviewed by the Department Chair / School Director, Dean, and Provost.

**4.5** A faculty member holding a non-tenure-track appointment, including, but not limited to, the Clinical, Research, Librarian, or Teaching Tracks, may be considered for transfer to a tenure-track appointment when such a change aligns with the mission, needs, and long-term priorities of the University and the employing academic unit. Requests for a track change must originate with the faculty member's Department Chair and be endorsed by the faculty member's Dean. The proposed transfer shall undergo formal review through established appointment procedures and must receive written approval from the Provost. A change in track constitutes a new appointment and is subject to the same search process, credentialing, and rank requirements applicable to all tenure-track positions. Upon approval of such a transfer, the Provost, in consultation with the faculty member's Dean and their Department Chair, may determine whether a portion of the faculty member's prior full-time service at Marshall University will be credited toward the tenure-track probationary period.

**4.6** Faculty in tenure-track and tenured positions are generally expected to be available for on-campus activities during their period of appointment, when not on leave and not traveling for university business. Some tenure-track or tenured faculty members may teach exclusively online. In these cases, each Academic Unit will develop a policy for tenure-track and tenured faculty members teaching exclusively online that outlines the expectations for availability to on-campus activities. This policy should be submitted to the University Faculty Senate's Faculty Personnel Committee for approval.

**4.7** Faculty in positions that are non-tenured and non-tenure-track are generally expected to be available for on-campus activities during their period of appointment, when not on leave and not traveling for university business. In some situations, faculty who exclusively teach online courses may be employed with no expectation of on-campus availability. In these cases, the offer letter will explicitly describe the terms of appointment. If a faculty member is teaching exclusively online for a short period of time, their on-campus availability will be negotiated with their immediate supervisor and academic Dean.

**4.8** Tenure-track faculty appointments are distinct from other faculty tracks (e.g., clinical, research, teaching,). Each track serves a separate institutional purpose, is governed by different performance expectations, and follows its own criteria for appointment, evaluation, promotion, and—where applicable—tenure. Accordingly, faculty members appointed to the tenure-track may not transfer to other faculty appointment tracks (e.g., clinical, research, or teaching) after their initial appointment. Exceptions shall not be permitted except in cases of demonstrable institutional need, as determined and initiated by the Provost, Dean, the faculty member's immediate supervisor, and approved through the full faculty appointment process applicable to the new track.

## 5. Faculty Ranks

Faculty ranks usually include titles such as Instructor, Senior Instructor, Assistant Professor, Associate Professor, and Professor, with each rank reflecting a different level of academic achievement, experience, and responsibility. This section defines the criteria and qualifications required for each rank.

### 5.1 Instructor

The rank of Instructor is an entry-level position in which the primary responsibility is teaching.

- 5.1.1 Except as noted below, the rank of Instructor requires that a candidate will have earned at least a master's degree at a university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, in a discipline appropriate to the teaching field.
- 5.1.2 In certain special areas in which professional achievement is of unusual importance, or in which personnel holding higher degrees are not available, the bachelor's degree or its equivalent may meet the minimum for the rank of instructor. These exceptions must be approved by the Provost and meet the criteria set forth in UPA-8.
- 5.1.3 A candidate for instructor must show promise as an effective university teacher.
- 5.1.4 Teaching-track faculty members in the rank of instructor receive a 3-year employment contract that may be terminated for any reason that is not arbitrary or capricious. Any documented information relating to the decision for non-reappointment or dismissal will be provided promptly to the Faculty Member upon request.

### 5.2 Senior Instructor

The rank of Senior Instructor represents an advancement in experience from the rank of Instructor. A candidate for Senior Instructor will have earned at least a master's degree at a university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, in a discipline appropriate to the teaching field.

- 5.2.1 A candidate for the rank of Senior Instructor must have had at least five complete academic years of experience as a full-time faculty member at a college or university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, or other experience deemed as equivalent by the Dean of the Academic Unit prior to application for promotion. This means that a candidate may apply for promotion in academic rank after completing five complete academic years as Instructor, and successful candidates may be promoted after six full years of experience at that rank.
- 5.2.2 A candidate for Senior Instructor must have demonstrated effective university teaching and service.

**5.2.3** Teaching-track faculty members in the rank of senior instructor receive a 4-year employment contract that may be terminated due to program elimination, strategic realignment, budget constraints, faculty misconduct (cause), or persistent and documented performance issues.

**5.3 Research Scholar**

The rank of Research Scholar is an entry-level Research-Track position assigned to individuals with the qualifications to conduct the projects for which they are hired.

**5.3.1** The rank of Research Scholar requires that a candidate will have earned at least a master's degree at a university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, in a discipline appropriate to the research projects.

**5.4 Assistant Professor**

An Assistant Professor is the lowest rank typically held by faculty members with a terminal degree.

**5.4.1** The rank of Assistant Professor requires that a candidate will have earned a terminal degree at a university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, in a discipline appropriate to the teaching field. University Policy UPAA-8 contains a list of terminal degrees by college and discipline.

**5.4.1.1** A potential faculty member who is ABD (all but dissertation) or who completed all coursework for their terminal degree, but has not completed other final components of the terminal degree, may be hired at the rank of Assistant Professor, but their expected terminal degree completion date must be noted in their initial offer letter. The offer letter should outline appropriate provisions should the faculty member not complete their terminal degree. These special cases require approval by the Provost.

**5.4.2** If applying for promotion from a lower rank to the rank of Assistant Professor, a candidate must also have at least five complete academic years of experience as a full-time faculty member at a college or university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, or other experience deemed as equivalent by the promotion policy of the Academic Unit. This means that a candidate may apply for promotion to Assistant Professor after completing five complete academic years at lower ranks and successful candidates may be promoted after completing six complete academic years.

**5.4.3** A candidate applying to the rank of Assistant Professor must have demonstrated professionalism in their duties and must show promise as a professional faculty member in other major areas of responsibility.

**5.5 Associate Professor**

The rank of Associate Professor represents a significant milestone in the career of a faculty member and signifies a higher level of responsibility and recognition within Marshall University and their respective department and Academic Unit. The qualifications for achieving the rank of Associate Professor include a

combination of education, teaching, and research/scholarship/creativity (as defined by each appointing unit), with a regional, national, or international impact outside of Marshall University.

- 5.5.1** A candidate for Associate Professor must have earned a terminal degree at a college or university accredited by a United States Department of Education recognized accreditor or at an appropriately accredited international college or university, in a discipline appropriate to the teaching field. University Policy UPAA-8 contains a list of terminal degrees by college and discipline.
- 5.5.2** A candidate for Associate Professor must have had at least five complete academic years of experience at the rank of Assistant Professor as a full-time faculty member at a college or university accredited by a United States Department of Education recognized accreditor, or at an appropriately accredited international college or university, or other experience deemed as equivalent by the promotion policy of the Academic Unit prior to application for promotion. This means that a candidate may apply for promotion in academic rank during the sixth year as Assistant Professor, and successful candidates may be promoted after six full years of experience at that rank.
- 5.5.3** A candidate must have demonstrated exemplary performance in either Teaching and Advising or in Research, Scholarship and Creative Activities, and professional performance and achievement in all other areas of responsibility. Each Academic Unit will establish definitions of exemplary and professional performance.

## **5.6 Professor**

The rank of Professor represents the highest academic status for tenured faculty at Marshall University and signifies a high level of achievement and expertise in a particular field or discipline. Achieving the rank of Professor typically requires a combination of advanced education, significant excellence in teaching, research/scholarly/creative contributions, and service to the academic community (as defined by each appointing unit) with a national or international impact.

- 5.6.1** A candidate must have earned the terminal degree in a discipline appropriate to the teaching field from a college or university accredited by a United States Department of Education recognized accreditor, or an appropriately accredited international college or university, in a discipline appropriate to the teaching field. University Policy UPAA-8 contains a list of terminal degrees by college and discipline.
- 5.6.2** A candidate for the rank of Professor must have had at least five complete academic years of experience in the rank of Associate Professor at a regionally accredited college or university accredited by a United States Department of Education recognized, or at an appropriately accredited international college or university, or other experience deemed as equivalent by the Dean of the Academic Unit prior to application for promotion. This means that a candidate may apply for promotion in academic rank during the sixth year as Associate Professor, and successful candidates may be promoted after six full years of experience at that rank.

**5.6.3** A candidate must have demonstrated exemplary performance in two of the three major areas, and professional achievement in the other area of responsibility. Each Academic Unit will establish definitions of exemplary and professional performance.

## **6. Promotion in Academic Rank**

This section details the process and criteria for faculty to advance in academic rank. It includes the evaluation of teaching effectiveness, research/scholarly/creative contributions, service and professional development. Tenure and Promotion are separate and so promotion in rank does not constitute awarding of tenure.

Promotion in rank is a reward for meritorious professional achievement. It is based on the professional qualifications of a faculty member, including performance specific to the candidate's contractual responsibilities and duties while employed at Marshall University. Faculty ranks determine the major area or areas of responsibility. The major areas of faculty responsibility evaluated in a promotion application are:

- Teaching and Advising
- Research, Scholarship, and Creative Activities
- Service and Professional Development

### **6.1 Annual Consideration for Promotion**

All persons in tracks other than Adjunct-Instructor Track, Dual-Credit Instructor-Track, or Other-Non-Tenured Track who hold the rank of Instructor, Senior Instructor, Assistant Professor, or Associate Professor, with teaching responsibilities, as defined by the academic unit, and who are employed full-time are entitled to annual consideration for promotion to a higher rank, provided that they have met the criteria for minimal levels of educational attainment and years of faculty experience outlined in this policy.

### **6.2 Promotion and Tenure**

For tenure-track faculty, if promotion and tenure are applied for on the same schedule, the final tenure decision will be made before the final promotion decision; failure to be granted tenure will result in a negative promotion decision. Tenure-track faculty members may not be promoted before they are awarded tenure, but may be promoted at the same time they receive tenure.

#### **6.2.1 Full-time faculty members not on the tenure track are exempt from the requirement in 6.2 of this policy.**

### **6.3 Clinical-track, Librarian-track, Research-track, and Teaching-track**

For faculty who are classified as clinical-track, librarian-track, research-track, or teaching-track, and who are neither tenured nor on the tenure-track, each Academic Unit will develop separate promotion criteria and procedures for those faculty, in consultation with the relevant Chair(s), Director(s), and Dean(s). These criteria and procedures must be approved by the University Senate's Faculty Personnel Committee and Provost.

**6.4 Established Guidelines**

Within the following framework, the University will establish, in cooperation with the Faculty or duly-elected representatives of the Faculty, guidelines and criteria for promotion in Academic Rank, such guidelines to be in conformity with guidelines established by this policy and approved by the University Faculty Senate's Faculty Personnel Committee and Provost.

- 6.4.1** There will be demonstrated evidence that promotion is based upon a wide range of criteria, established by the applicable Academic Unit in accordance with this document, and appropriate to the mission of the unit.
- 6.4.2** There will be demonstrated evidence that, in the process of making evaluations for promotions, there is participation from several different groups, including but not limited to peers from within and without the Academic Unit of the faculty member, and supervisory administrative personnel such as the faculty member's Chair and Dean.
- 6.4.3** There will be no practice of granting promotion routinely or solely because of length of service, or of denying promotion capriciously.
- 6.4.4** The University will provide copies of the guidelines and criteria for promotion (approved by the University Faculty Senate's Faculty Personnel Committee and Faculty Senate) to the Board of Governors and will make available such guidelines and criteria to its Faculty.
- 6.4.5** Promotion will not be granted automatically, but will result from action by the President, following consultation with the appropriate academic units.

**6.5 Criteria & Areas of Responsibility**

The specific categories in which faculty are evaluated for promotion include the following:

**6.5.1 Teaching and Advising (if applicable)**

Teaching and Advising responsibilities and duties may include, but are not limited to: command of disciplinary knowledge, skills, and methodology; effectiveness of classroom performance; advising load and effectiveness of academic advising; effectiveness in assessing student learning; rapport with students and academic colleagues; contributions to curricular development, including the development, Promotion, and delivery of off- campus academic programs, either through electronic means or conventional travel to off-campus course locations; instructional development of faculty colleagues, and professional development activities related to a faculty member's teaching responsibilities. Student course evaluations may not be used for evidence of teaching effectiveness.

### **6.5.2 Research, Scholarship, and Creative Activities (if applicable)**

Research, Scholarship, and Creative Activities responsibilities and duties may include, but are not limited to: number, quality and importance of publications and creative productions; memberships and contributions to professional societies; professional growth and development; scholarly presentations and creative performances; grants and other external funding; adherence to the ethical and legal standards of scientific or creative inquiry; contributions to the professional development and achievement of colleagues, and professional development related to a faculty member's research, scholarship, or creative activity responsibilities.

### **6.5.3 Service and Professional Development (if applicable)**

Service and Professional Development responsibilities and duties may include, but are not limited to: contributions within the department, within the Academic Unit or university-wide; contributions to official student organizations or other university- related organizations; other work on behalf of the student body, faculty, staff or administration of the university. Service to the community includes, but is not limited to: service on a compensated or pro-bono basis to governments, to educational, business or civic organizations, or to the public; involvement as an official representative of Marshall University, or units thereof, in activities of governments and of educational, business, or civic organizations. Professional development may be development opportunities undertaken by a faculty member which can be employed for the betterment of their academic unit, the university, or community as a whole.

### **6.5.4 Academic Unit Criteria**

Individual Academic Units are responsible for establishing promotion criteria and procedures for each academic rank. These criteria include the relative weight and impact of the various responsibilities and duties. Individual Academic Units must establish quantifiable rubrics for each criterion to which promotion decisions are based. Such criteria and procedures must be in accordance with this policy and with policy UPA-20, "Faculty Workload Policy".

## **6.6 Promotion Date Eligibility**

The date on which a faculty member is eligible for promotion will be an explicit and written part of that faculty member's initial offer letter of employment, which is available upon request from the Office of Academic Affairs. This date will include details about when the faculty member should apply for promotion, the date they would be eligible to receive a promotion, and any other pertinent information ensuring that timelines are specified in the initial offer letter.

### **6.6.1** Negotiated time consideration for promotion must be specifically documented in the initial offer letter, which must be included in the promotion application. In general, for faculty applying from outside of Marshall University, the limit on years awarded towards tenure will be no more than three, and no more than one fewer than the number of years the candidate has served in a tenure-track position at a comparable institution.

**6.6.2** In cases of extraordinary faculty member accomplishments, or the documented promise of extraordinary faculty member accomplishments, or the needs of the Academic Unit, that date for promotion and/or tenure application can be renegotiated, and promotion and/or tenure applied for at the renegotiated time. The faculty member, the Department Chair / School Director, or the Dean of the faculty member's Academic Unit may initiate the renegotiation. Any renegotiated date must be approved by the Provost. Faculty will be notified of any change in date by the Provost or designee via electronic submission using established procedures with read receipt by February 1 of the Spring Semester before they are eligible for promotion. The faculty member's Department Chair / School Director, Associate Dean and Dean will be copied on this notification.

**6.7 Written Guidelines**

Each Academic Unit and department will develop written guidelines outlining procedures and performance criteria for promotion. Marshall University Board of Governor's rules (MUBOG), including but not limited this current rule, and University Policy UP-AA-20, Faculty Workload. Academic Unit promotion guidelines must be approved by the Academic Unit's faculty, in consultation with the Academic Dean. Department promotion guidelines must be approved by the Department's faculty and their Dean. Academic Unit and Department / School promotion guidelines must be approved by the University Faculty Senate's Faculty Personnel Committee and the Provost.

**6.8 Promotion Initiation**

Normally, a faculty member is responsible for initiating their application for promotion. However, a department Chair or a department promotion committee may initiate a proposal for the promotion of any member of the department. Proposals for the promotion of a Department Chair may be initiated by themselves, by a department/division committee, or by the Dean of the Academic Unit.

**6.9 Promotion Review Process and Timeline**

The review process of a promotion application will follow the procedure and timeline specified in this Rule.

**6.10 Grievances**

A faculty member denied a promotion may utilize the grievance procedures set out in West Virginia Code §§ 6C-2-1 et seq.

**7. Tenure**

Tenure is designed to ensure academic freedom and to provide professional stability for an experienced faculty member. It is a means of protection against the capricious dismissal of an individual who has served faithfully and well in the academic community. Continuous self-evaluation, as well as regular evaluation by peer and administrative personnel, is essential to the viability of the tenure system.

**7.1** Tenure should never be permitted to mask irresponsibility, mediocrity, or deliberate refusal to meet academic requirements or professional duties and responsibilities.

**7.2** Tenure is a means of making the profession attractive to persons of ability. There will be demonstrated evidence that tenure is based upon a wide range of criteria, established by the applicable Academic Unit in conformance with this Rule and appropriate to the mission of Marshall University and its respective academic units.

**7.3** Ultimate authority regarding the application this Rule will rest with the President. In making tenure decisions, careful consideration will be given to the tenure profile of the University, projected enrollment patterns, staffing needs, current and projected mission of each department, specific academic competence of the Faculty Member, and preservation of opportunities for infusion of new talent.

**7.4** Tenure is awarded not only for past achievements but also in anticipation of continued achievement in all areas of responsibility.

**7.5** Unless a full-time faculty member hired into a tenure-track faculty line is granted tenure upon hire, the appointment will be probationary.

**7.6** **Tenure Upon Hire**

In some circumstances Marshall University allows tenure to be awarded at the time of hire for established scholars who meet the Institution's standards. There are two distinct groups for which this policy applies:

- Faculty who have previously held tenure at Marshall and who are being hired at Marshall University in an administrative role (e.g., Provost/Vice Provost, Dean/Associate Dean, Chair, and similar positions). These staff may be hired with the tenure that they already possess at Marshall.
- Individuals who have held tenure at another institution and are being hired as faculty or administrators. The remainder of this section describes the process for hiring these individuals with tenure at Marshall.

**7.6.1** The review process for tenure upon hire will be expedited and run concurrently with the interviewing process, and committees will make their decisions independently. For a candidate to receive tenure upon hire, the department committee, Department Chair / School Director, and Academic Unit committee must all make affirmative recommendations to the Dean and Provost. To be eligible for tenure upon hire, a candidate must hold the rank of at least Associate Professor (or equivalent) or higher.

**7.6.2** **Tenure Upon Hire Process**

**7.6.2.1** As part of the staffing decision process and prior to commencing searches Deans (upon recommendations for Department Chair / School Director) will submit recommendations that specific lines to be designated as "immediate tenure eligible" positions. Upon approval from the President or their designee, the Provost will designate the approved new hire faculty position or combined faculty/administrative position as "immediate tenure eligible."

**7.6.2.2** For administrative searches where there will be a concurrent faculty appointment, the decision to designate the search as "immediate tenure eligible" will be made by the President following consultation with relevant Cabinet members and other administrators.

**7.6.2.3** As part of the search process, the position designated as "immediate tenure eligible" will be advertised as such. Candidates will be notified of the conditions that need to be met to be eligible for tenure upon hire (i.e., submission of required documents to the search committee chair who will initiate the process with the reviewing constituencies) once the process is initiated, the Department Chair / School Director, department promotion and tenure committee, and Academic Unit committee will have one week to make their recommendation.

**7.6.2.4** If the "immediate tenure eligible" position is for a combined faculty/administrative position, during the on-campus interview process finalists for this position will be scheduled for a one-hour interview with the academic department in which the administrator would have a concurrent faculty appointment.

**7.6.2.5** Upon completion of the search and selection of the new hire, the Provost will review the recommendations received from the Department Chair / School Director, department promotion and tenure committee, and Academic Unit promotion and tenure committee and make a final determination of tenure upon hire. The Provost or their designee must consider these recommendations but is not bound by them. The written recommendations (including the Provost's recommendation) must accompany any recommendation for immediate tenure made by the President or designee to the Board but the failure of any of these bodies to make such a recommendation will not preclude the completion of the process to recommend tenure upon hire

**7.6.2.6** Following consultation with the Provost, the President will make the determination whether to award tenure to the candidate upon hire.

**7.7 Requirements for Tenure**

Tenure will not be granted automatically, or for years of service, but will result from a process of peer review and culminate in action by the President. The granting of tenure will be based on the following:

**7.7.1** The candidate is professionally qualified.

**7.7.2** The university has a continuing need for a faculty member with the qualifications and competencies of the candidate.

**7.7.3** The professional qualifications of a candidate for tenure will be evaluated using the guidelines pertaining to promotion as described in Marshall University Board of Governors rule AA-6, Faculty Ranks.

**7.7.4** The candidate must have demonstrated professional performance and achievement in all of their major areas of responsibility. Major categories of faculty responsibilities and duties are:

- Teaching and Advising
- Research, Scholarship, and Creative Activities
- Service and Professional Development

**7.7.5** The candidate must have demonstrated exemplary performance in either Teaching and Advising or in Research, Scholarship and Creative Activities. Major attention will be given to the quality and caliber of professional accomplishments and to the future promise as an educator, scholar, and/ or artist.

**7.7.6** Tenure may be granted only to probationary faculty who hold the rank of Assistant Professor or above and are classified as tenure-track.

**7.8** Tenure-track (probationary) faculty members must be granted tenure before they are eligible for consideration of promotion in academic rank. If promotion and tenure are applied for on the same schedule, the final tenure decision will be made before the final promotion decision. Failure to be granted tenure will result in a negative promotion decision.

**7.9 Probationary Period “Tenure Clock” and Annual Reappointments**  
The maximum period of probation at Marshall University is seven years. Before completing the sixth year of a probationary appointment, a non-tenured faculty member will be given written notice of tenure or will be offered a one-year terminal contract of employment for the seventh year. In exceptional cases, newly appointed faculty members may negotiate the use of prior service at other appropriately accredited higher education institutions to reduce the length of the probationary period; denial of tenure under such circumstances will have the same effect as denial of tenure following the standard probationary period.

**7.9.1** The length of the probationary period must be established at the time of initial employment by the President, after consultation with the Provost and the appropriate Dean(s), Chair(s) and department faculty and be included in the initial letter of appointment. See University Policy UPAA-21, “Modified Duties for Nine-Month Faculty” for circumstances leading to an extension of the probationary period.

**7.9.2** If the status of a faculty member changes from non-tenure-track to probationary, the time spent at the Marshall University may, at the discretion of the President, in consultation with the Provost, be counted as part of the probationary period. The original hiring agreement must inform the faculty member being employed for a tenure-track position of the option of requesting that their temporary service be counted toward tenure. A probationary faculty member wishing to count years on a temporary appointment as part of the probationary period must make this request at the time of initial appointment to a tenure-track position.

If this option is exercised, the faculty member must be cautioned that their years of temporary service will be evaluated by the same criteria as tenure-track service. The request will be initiated through the Department Chair / School Director and will proceed through appropriate channels. Requests made after this time will be denied. If no request is made, the years of the temporary appointment will not be counted as part of the probationary period.

**7.9.2.1** This provision only applies to non-tenure track faculty at Marshall University. Non-tenure track positions held at institutions other than Marshall University, will no count towards a faculty members probationary period at the institution.

**7.9.3** If a probationary faculty member previously held a full-time non-faculty position, service in the non-faculty position may not be credited towards tenure.

**7.9.4** During the tenure-track period, the terms and conditions of every reappointment will be stated in writing, with a copy of the agreement furnished to the individual concerned.

**7.9.5** Faculty appointed at times other than the beginning of the academic year may choose to have those periods of appointment equal to or greater than half an academic year considered as a full year of the tenure-track period. Such decision must be made by the end of the fiscal year in which the appointment begins, and is subject to approval by the Provost.

**7.9.6** Tenure-track appointments for less than half an academic year may not be counted as part of the tenure-track period.

**7.9.7** Unless demonstrated extraordinary circumstances prevent an application during the Critical Year of a faculty appointment, the person who chooses not to apply will not be considered for tenure and will be offered a succeeding one-year terminal contract of appointment. The University Faculty Senate's Faculty Personnel Committee will determine if a Faculty Member has demonstrated extraordinary circumstances preventing them from applying during their Critical Year.

**7.9.8** During the probationary period, notices of non-reappointment may be issued for any reason that is not arbitrary or capricious. Any documented information relating to the decision for non-reappointment or dismissal will be provided promptly to the Faculty Member upon request.

**7.9.9** After the decision regarding reappointment or non-reappointment for the following academic year has been made by the President, a probationary Faculty Member will be notified in writing of the decision by letter post-marked and mailed at least one year before the expiration of an appointment. The appointment during the terminal year will be converted a fixed-term, non-tenure-track position.

**7.9.10** After the decision regarding reappointment or, pursuant to W. Va. Code §18B-8-5, non-reappointment for the following academic year has been made by the President, the tenure-track Faculty Member may be notified in writing of the decision by letter post-marked and mailed no later than March 1, which will be sent via “Certified Mail-Return Receipt Requested;” First Class mail; and electronic mail with read receipt.

## **7.10 Notifications for Probationary Faculty**

### **7.10.1 Initial Notification**

During the first term of the appointment, the Department Chair / School Director will notify in writing each probationary faculty member of the requirements and guidelines for tenure, including any which apply specifically within the faculty member’s department. The faculty member will acknowledge in writing receipt of this notification. Lack of acknowledgment is not grounds for dismissal, nor is it reason for appealing a denial of tenure.

### **7.10.2 Annual Notification**

All probationary faculty members must be notified annually in writing by their Dean of their progress toward tenure and/or promotion. Notifications will identify specific areas of improvement needed for tenure or promotion, if any (SR-04-05-(37) 94 FECAHC).

### **7.10.3 Notification before Critical Year**

All probationary faculty members will be notified by the Dean via electronic submission using established procedures with read receipt by February 1 of the Spring Semester before they are eligible to apply for tenure in the following academic year. The Department Chair / School Director will be copied on this notification.

## **7.11 Tenure Evaluation and Application**

**7.11.1** Each department and Academic Unit will develop written procedures and performance criteria (including quantifiable rubrics) for implementing the tenure requirements outlined in this Rule. Department and Academic Unit tenure procedures and criteria must be approved by the relevant Dean in consultation with the faculty and approved for consistency with university policies by the University Faculty Senate’s Faculty Personnel Committee and the Provost.

**7.11.2** Academic Unit tenure guidelines include guidelines to include provisions for external reviews as described in this Rule.

**7.11.3** All tenure-track faculty members will be evaluated by the criteria used for promotion and tenure in their Academic Unit and department via a pre-tenure review. The date of this pre-tenure review must be stated in the initial letter of appointment. An Academic Unit may establish pre-tenure review procedures which vary from those used for a tenure application. The results of this evaluation will be part of any application for tenure. An exceptional evaluation, i.e., the results of which exceed normal expectations as defined by a faculty member’s Academic Unit and department tenure guidelines, when verified by the relevant Dean and the Provost, will result in a salary increase as specified in UPA-15, Faculty Salary Increases.

- 7.11.4** Each faculty member will have the primary responsibility for initiating their application for tenure. However, the Department/ Chair / School Director or department committee may initiate a recommendation for tenure.
- 7.11.5** Unless demonstrated extraordinary circumstances prevent an application for tenure during the Critical Year of a probationary faculty appointment, the person who chooses not to apply will not be considered for tenure and will be offered a succeeding one-year terminal contract of appointment.

#### **7.12 Tenure Review Process and Timeline**

The review process of a tenure application will follow the procedure and timeline specified in this Rule.

#### **7.13 Grievances**

A faculty member denied a tenure may utilize the grievance procedures set out in West Virginia Code §§ 6C-2-1 et seq.

#### **7.14 Pausing the “Tenure Clock” Probationary Period Extension**

Probationary tenure-track faculty members may request an extension of their probationary period \*tenure-clock\* for extraordinary circumstances.

- 7.14.1** A one-year extension of the probationary period will be granted by the Provost upon request of a probationary faculty member who (1) has or shares primary responsibility for the care of an infant or a newly-adopted child under age five, and who must commit substantial portions of time to this care; (2) faces similar responsibilities associated with a serious health condition of another person; or (3) has a serious health condition. This extension may be granted whether or not sick leave, personal leave, or family and medical leave has been taken. Written requests for such extensions must be made within six months of the event necessitating the request.
- 7.14.2** There may be other circumstances that require substantial amounts of time or produce excessive stress that would justify extending the probationary period for one year. Examples of such circumstances include (but are not limited to) the disruption of research facilities or the interruption of research for foreign teaching assignments. In such cases, the probationary faculty member may apply in writing to the Provost, who in consultation with the University Faculty Senate’s Faculty Personnel Committee will determine whether such an extension should be granted. Any such request for an extension must be made within six months of the occurrence of the circumstance.
- 7.14.3** There is normally a limit of one such extension of any type during the probationary period. A person may, however, request a second extension through the Provost.

**7.14.4** The maximum number of years of extensions to the probationary period is two, unless the faculty member is called to active military duty.

**7.14.4.1** Faculty members called to active military duty probationary periods will be extended while on active duty in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

**7.14.4.2** This process may be initiated by the faculty member, their immediate supervisor, or their Academic Dean.

## **8. Procedure and Timeline for P/T Application Review**

This section lays out the specific steps and timeline used to review an application for promotion and/or tenure.

### **8.1 Deadlines on Business Days**

If the date specified for a deadline in this section does not fall on a Business Day, the deadline shall be the next Business Day after the specified date.

**8.2** No person, including the applicant, may present information orally to any reviewing person or committee; any such information must be in written form.

**8.3** A candidate for tenure or promotion must recuse from considering their own application on any departmental or Academic Unit Promotion and Tenure Committee. If a Department Chair / School Director applies for tenure or promotion, the Dean will select an alternate Department Chair / School Director to evaluate the application.

### **8.4 Simultaneous Application for Promotion and Tenure**

In some cases, a candidate may be entitled to apply for tenure and promotion simultaneously. These simultaneous applications follow the same process and timeline and share the same application packet. However, the decision regarding tenure at each level of review must be made before the decision regarding promotion is made.

### **8.5 Withdrawal of Promotion/Tenure Applications**

A faculty member may withdraw their application for promotion and/or tenure at any time during the application process prior to **April 20**. A candidate who has applied for both promotion and tenure may withdraw the application for tenure, the application for promotion, or both. The request to withdraw an application must be made in writing to the faculty member's Dean and Provost via electronic submission using established procedures with read receipt.

### **8.6 P/T Coordinator**

Each Academic Unit will establish a P/T Coordinator who will be responsible for organizing the digital storage structure for application materials and assisting candidates prior to the submission of their packet. The P/T Coordinator will coordinate with the Department Chairs / School Directors and committees at all levels to ensure the appropriate security protocols are in place and the appropriate access to materials is granted to the required parties.

**8.7 Summary of the P/T timeline**

See Appendix 1 for a table summarizing the promotion / tenure timeline.

**8.8 Letter of Intent**

No later than February 28 prior to the year a candidate for tenure intends to submit an application for tenure and/or promotion, the candidate for tenure/ promotion will submit a letter of intent via electronic submission using established procedures with read receipt to their Department Chair / School Director indicating they plan to go up for tenure / promotion in the following academic year. This letter of intent will then initiate the external review process (if applicable). The letter also allows the Chair to ensure that a Promotion and Tenure Committee is established, and a Committee Chair is elected for the following academic year. Upon receipt of the letter of intent, the Department Chair / School Director will forward the letter of intent on the candidate's Dean who will record this information in order to prepare for the process that will occur the next academic year.

**8.9** Candidates should expect to work on their application and packet for tenure/promotion in the Spring and Summer Semesters prior to the year they plan to apply for promotion. By August 15 in the academic year in which the candidate applies for tenure / promotion, the candidate will submit an application and promotion / tenure packet using the procedures developed by each Academic Unit. The Department Chair / School Director will confirm receipt of the promotion / tenure packet via electronic submission using established procedures with a read receipt. Once the Department Chair / School Director has received the candidate's packet, no additional material may be added by the candidate, except those items noted below. Achievements occurring after the submission of the application packet on August 15, may be used in subsequent applications for promotion and changes in employment tracks (i.e., these achievements may be counted in future promotion application packet, but may only be counted at the next successive rank).

**8.10** The Department Chair / School Director will follow the steps outlined in the External Review Process of this Rule, if applicable. Once that process is completed (by October 15) the Department Chair / School Director will forward the promotion and all materials relevant to their promotion / tenure application process to the appropriate department/school Promotion and Tenure Committee by October 20.

**8.11** The Department / School Promotion and Tenure Committee will meet at their earliest convenience and review the candidate's materials using evaluation procedures and criteria which have been previously established by departmental by-laws and procedures. The committee will prepare a written recommendation with respect to the qualifications of the candidate for tenure and the Committee Chair submit it to the Department Chair / School Director by November 20 via procedures established for each Academic Unit.

**8.12** Regardless of the outcome, within five days after receiving the committee's recommendation, the Department Chair / School Director will notify the candidate of the Department / School Promotion and Tenure Committee's recommendation, along with rationale, via email with a read receipt.

**8.13** The Department Chair / School Director will review the candidate's packet, as well as the department / school Promotion & Tenure Committee's recommendations, and external review letters and evaluate the candidate's materials using the evaluation procedures and criteria established by departmental bylaws and procedures. The Department Chair / School Director will then prepare a written recommendation either in support or opposition to the candidate's application for tenure. The Department Chair / School Director will have their final recommendation completed by December 15.

**8.14** Regardless of the outcome, the Department Chair / School Director will notify the candidate of their recommendation, along with rationale, via electronic submission using established procedures with a read receipt by December 20.

**8.15** If the candidate received a negative recommendation from their Department / School P/T Committee or Department Chair / School Director, they may provide a written response no later than January 3. This response may include a written rationale and written evidence to support their response. Evidence is limited to the specifics of the negative recommendation. The response and evidence (if applicable) will be sent via email with read receipt to their Department Chair / School Director. The candidate's response and additional evidence will be included in the candidate's packet under a folder titled "Responses to Internal Recommendations" and may or may not be used at subsequent steps in the evaluation process. No items other than recommendations / responses, except those outlined below, may be added or deleted from the application after this point.

**8.16** After receiving the candidate's response to the evaluation (if applicable) the Department Chair / School Director will forward the candidate's application packet, all supporting materials, along with all recommendations, candidate responses (if applicable), external review letters to the candidate's Academic Unit P/T Coordinator by January 6.

**8.17** The P/T Coordinator will submit all applications and recommendations to the appropriate Academic Unit Promotion and Tenure committee by January 8.

**8.18** The P/T Coordinator will notify the Dean that all materials are ready for the Academic Unit Promotion and Tenure Committee by January 9.

**8.19** The Academic Unit Promotion and Tenure Committee will meet at their earliest convenience and review the candidate's materials using evaluation procedures and criteria established by departmental bylaws and procedures. Academic Unit Promotion and Tenure Committees must have representation from each department of the Academic Unit unless a department or has an insufficient number of available tenured faculty members. The committee will evaluate each candidate for tenure, based on established promotion / tenure criteria, evaluation procedures and rubrics established by the bylaws of the Academic Unit. Committees will review applications materials provided by the P/T Coordinator and submit a written recommendation for each candidate, along

with all materials received, and Committee Chairs will submit using the submission procedures established by each Academic Unit by February 15.

- 8.20** Regardless of the outcome, the P/T Coordinator will notify the Candidate's Department Chair of the Academic Unit Promotion and Tenure Committee's recommendation, along with rationale, via electronic submission using established procedures with a read receipt by February 16.
- 8.21** The candidate's Department Chair / School Director will notify the candidate of the Academic Unit Promotion and Tenure Committee's recommendation, along with rationale, via email with a read receipt by February 21.
- 8.22** No later than February 16, the Academic Unit P/T Coordinator will notify the Dean that the candidate's packet is ready for review. The Dean will review the candidate's packet, as well as the department / school Promotion & Tenure Committee's recommendations, the Department Chair / School Director's recommendations, the Academic Unit Promotion and Tenure Committee recommendations, external review letters, and the candidate's responses to recommendations (if applicable) and evaluate the candidate's materials using evaluation procedures, rubrics and evaluation criteria which have been previously established by departmental by-laws and procedures. The Dean will then prepare a written recommendation either in support or opposition to the candidate's application for tenure. The Dean will file this recommendation in the candidate's electronic tenure package by March 10.
- 8.23** The Dean will notify the candidate's Department Chair / School Director of the Dean's recommendations along with rationale, via electronic submission using established procedures with read receipt by March 10.
- 8.24** The Candidate's Department Chair / School Director will notify the candidate of the Dean's recommendation, along with rationale, by March 15 via electronic submission using established procedures with read receipt.
- 8.25** If the candidate received a negative recommendation from their Academic Unit P/T Committee or the Dean, they may provide a written response to that recommendation by March 25. The response may include a rationale and written evidence to support their response. The response and evidence (if applicable) will be sent via email with read receipt to their Department Chair / School Director. The candidate's response and additional evidence will be included in the candidate's packet under a folder titled "Responses to Internal Recommendations" and may or may not be used at subsequent steps in the evaluation process. No items other than recommendations / responses, except those outlined below, may be added or deleted from the application after this point.

**8.26** After receiving the candidate's response to the evaluation (if applicable) the Department Chair / School Director will notify the Academic Unit P/T Coordinator that the response has been added to the candidate's digital files and that is ready for the Provost's review by March 26.

**8.27** The Academic Unit P/T Coordinator will verify receipt of response and notify the Provost's office that the candidate's P/T materials are ready for review by March 27.

**8.28** The Provost will prepare a written recommendation for each candidate and submit it together with all of the recommendations and application materials received from the Deans to the President by April 20.

**8.29** The Promotion and/or Tenure decision will result from action by the President at the conclusion of the Tenure process. The President or designee will prepare a list of those granted Promotion and/or Tenure and send an informational copy to the Chairperson of the University Faculty Senate's Faculty Personnel Committee by April 30 via email with read receipt.

**8.30** The President will inform all candidates for Promotion and/or Tenure by written letter and via email with read receipt of their decision by April 30. An applicant denied tenure will be provided a statement of reasons for the action by this date.

**8.31** Once all notifications have been sent out, all application materials, including internal recommendations will be released (unlocked) to each candidate at the end of the tenure process. The Provost or designee may retain a copy of all application materials for archival purposes. All application materials and promotion decisions and deliberations will be considered confidential except for circumstances in which a legal "need-to-know" basis has been established. External reviews of a candidate's application will only be released to the candidate in the case of a legal "need-to-know" and following a written request from the candidate to the Provost.

**8.32** The entire tenure/promotion review process must conclude no later than April 30.

## **9. External Review**

The purpose of using external reviews as a part of the promotion and tenure process is to advise the university on the broader impact and value of a faculty member's research/scholarly/creative productivity to the discipline. Marshall University uses external reviews to confirm the significance of results arising from the scholarly efforts of a faculty member, but external reviews are not intended to be the sole conclusive elements of a promotion and tenure review. One of the chief purposes of promotion and tenure is to ensure that the university is making progress towards its strategic goals and aspirations, which cannot occur unless advice is continually solicited from those who represent aspirant institutions.

External reviewers will evaluate only the candidates' scholarly achievements and contributions, and no other part of the promotion / tenure packet are subject to external review.

**9.1 Applicability**

External review is only applicable to tenured, probationary, and research-track faculty who are claiming the level of “exemplary” in the area of research/scholarship/creativity in their tenure or promotion application.

**9.2 Deadlines on Business Days**

If the date specified for a deadline in this section does not fall on a Business Day, the deadline shall be the next Business Day after the specified date.

**9.3 Independent Reviewers**

Independent external reviewers are experts in the candidate’s discipline, sub-field or area, who are not past mentors, dissertation advisors or frequent or current (within last 5 years) collaborators, who also do not have a personal or financial relationship with the candidate. Individuals who have worked closely with a candidate will not be considered independent if questions may reasonably arise about whether they can provide an unbiased assessment of the candidate’s achievements.

**9.4** For promotion from Assistant Professor to Associate Professor and for tenure applications, no fewer than two (2), and typically no more than five (5) letters from independent external reviewers will be solicited. For promotion from Associate Professor to full professor, no fewer than four (4), and typically no more than seven (7), letters will be solicited. When an invited reviewer declines to provide a review, an additional review may be solicited at the discretion of the university. If fewer letters are received than the desired number, the review will go forward with the letters that are received.

**9.5** External evaluations may also be solicited from external reviewers who are not independent of the candidate. These letters will be treated as letters of support rather than independent reviews. For example, a letter may be solicited from the candidate’s thesis or dissertation advisor. The number of letters of support solicited will not exceed the number of independent reviews solicited.

**9.6** All external evaluations that are solicited, including independent reviews and letters of support, will be included in the candidate’s packet provided the evaluations are received before the deadline established by this Rule.

**9.6.1** External reviewers must hold rank and tenure status equivalent or higher than the level for which the candidate is applying, and be currently active researchers, scholars or artists, or emerging leaders in the field. Reviewers not affiliated with an academic institution (for example, researchers at a national laboratory) must have rank and experience commensurate with that for which the candidate is applying.

**9.6.2** External reviewers should be affiliated with a department or institution that is a peer or aspirant for the department of the faculty candidate, for example, from Carnegie R1 or R2 or AAU institutions (including medical school colleague institutions as warranted), or with a non-academic institution of national or international impact.

**9.6.3** The Department Chair / School Director will document all reviewer nominations and the selection process on the required Worksheet for External Evaluators, which will be approved by the Dean and included in the candidate’s dossier.

**9.6.4** The candidate, in consultation with their Department Chair / School Director, will propose a list of potential external reviewers including both independent reviewers and letters of support. The Department Chair / School Director, in consultation with the department Promotion / Tenure committee, will select reviewers from the proposed list.

**9.6.4.1** The list should include a sufficient number of potential reviewers to yield at least the desired number of independent evaluation letters required to advance the dossier for consideration. The Department Chair / School Director is responsible for properly managing this process and ensuring a sufficient number is achieved to advance the dossier, as required, and will seek well in advance assistance from the Dean to remedy any challenges such as an insufficient number of reviewers.

**9.6.4.2** Academic Unit Deans or designees will conduct a check-in with the Department Chair / School Director in early April of the spring semester prior to the candidate's application for promotion and/or tenure to see if any assistance is needed in securing the sufficient number of evaluation letters.

**9.6.4.3** Each department should develop specific written guidelines for soliciting suggestions for reviewers and work to ensure the integrity of the process. That process will include:

- Consideration of names suggested by the candidate;
- Consideration of names proposed by senior faculty and Department Tenure / Promotion Committee members in the same general field as the faculty candidate; and,
- Identification of those nominated reviewers identified by the faculty candidate who are unsuitable due to a real or perceived conflict of interest;
- Construction of the total list of reviewers that includes names suggested by the faculty candidate, as well as those that are not suggested by the candidate (no more than half are expected to be from the candidate).

## **9.7 External Review Process**

**9.7.1** The timeline for this process is laid out in Appendix 1.

**9.7.2** By March 1 of the spring prior to the promotion and tenure review (after receiving promotion eligibility notification) the Department Chair / School Director will solicit suggestions via electronic submission using established procedures with read receipt of potential reviewers from the faculty candidate, the Department Tenure and Promotion Committee, and senior faculty in the same general sub-field as the candidate. Suggestions of external reviewers will be sent via electronic submission using established procedures with read receipt to the Department Chair / School Director and include a short (1 paragraph) rationale of why this reviewer is a good choice to participate in the candidate's external review. The Department Chair / School Director will record potential external reviewers and rationale on the Required External Reviewer Worksheet (see Appendix 2). Nominations must be received by April 30 prior to the fall in which the candidate will submit their application for promotion and/or tenure.

**9.7.3** The Department Chair / School Director reviews the nominations via an External Review Worksheet for real or perceived conflicts of interest, and if noted, checks the “no” box in the “Independent Column”. If the Department Chair / School Director elects to proceed with soliciting a review from a reviewer that has a potential conflict of interest (either real or perceived), their review will be considered a letter of support.

**9.7.4** The Department Chair / School Director will contact prospective reviewers to ascertain their availability to provide a review and notes the response on the External Review Worksheet. This will be completed by May 15 in the spring semester prior to the candidate’s review.

**9.7.5** If the list of potential reviewers solicited by the Department Chair / School Director does not yield a sufficient number of independent reviewers, the Department Chair / School Director should consult with the Dean for assistance in securing additional acceptable reviewers. They may reach out to the faculty candidate, the Department Promotion and Tenure Committee and the senior faculty in the same general sub-field as the candidate for this assistance.

**9.7.6** The list of reviewers will be sent to the candidate via electronic submission using established procedures no later than May 15. If the candidate feels that one or more of the selected reviewers has a conflict of interest, bias that materially affects the review, or is otherwise unsuitable as a reviewer, the candidate may appeal to the Dean in writing within 5 Business Days of receiving the list of reviewers. Upon receiving an appeal, the Dean will decide, within 5 Business Days, whether to remove the disputed reviewers from the list. If any reviewers are removed, the Department Chair / School Director will propose replacement reviewers, who may also be appealed by the candidate.

**9.7.7** The finalized list of external reviewers will be completed no later than June 1 prior to the fall semester in which the external review will be conducted. By June 10, the Department Chair / School Director will inform the reviewers of the review time (see Appendix 1) and let them know that they will forward the application packet, including relevant work products and summary of the candidate’s workload assignment, to the external reviewers for their evaluation by August 20. External reviewers will be provided with a timeline and informed that review letters along with their own curriculum vita must be submitted by September 30.

**9.7.8** The Department Chair / School Director will solicit the reviews using the required template (see Appendix 3) including the additional letters from the Academic Dean and Provost to external reviewers which outline Marshall’s guidelines for Promotion and Tenure as it relates to research, scholarship, and creative activities. Reviewers are focused on evaluation of the candidate’s record of accomplishments in research, scholarship, or creative activities.

**9.7.9** The Department Chair / School Director will obtain vita or biography for each reviewer for inclusion with the review letter.

**9.7.10** External reviewers' evaluations and vitae must be submitted to the Department Chair / School Director by September 30. Upon receipt of materials from the external reviewer, the Department Chair / School Director /School Director reviews each reviewer's letter and vita to evaluate any professional or personal affiliations or relationships by the reviewer with the candidate. The Chair makes the final determination of Independence, and so notes on the External Reviewer Worksheet. Evaluations not determined to be independent by the Department Chair / School Director /School Director will be included in the packet as letters of support.

**9.7.11** After receipt of letters and vitae, the Department Chair / School Director transmits the Worksheet via electronic submission using established procedures with read receipt, codifying the external reviewer process to the Dean for review and approval prior to inclusion in the candidate's dossier by October 5. Once this process is complete and has received the Deans approval, by October 15, the Department Chair / School Director will forward the candidate's entire promotion / tenure application packet to the Department / School Promotion and Tenure Committee so they may begin their review process.

**9.7.12** The external review process, along with Department Chair / School Director/ School Director and approval from Dean will be completed by October 15. No external reviews may be added or removed from the candidate's application packet after this time.

**9.7.13** All documents for the external review process will be stored in a digital format. Each Academic Unit will establish specific instructions about where files and documents will be stored and how they will be made available to the required internal parties. Required copies of files from the application packet will be sent to external reviewers via electronic submission using established procedures with read receipts.

## **10. Dismissal for Cause**

**10.1** Causes of Dismissal: The dismissal of a Faculty Member for cause shall be governed by MUBOG Rules on Faculty Conduct, Misconduct, Corrective Action, and Disciplinary Processes and Procedures, which establishes the definitions, categories, and procedural safeguards for disciplinary actions applicable to faculty.

**10.2** Faculty dismissal for cause may be effected only in accordance with the procedures and due-process protections outlined in that Rule.

**10.3** Grounds for dismissal shall include, but are not limited to, violations of the standards of professional conduct, misconduct, or other actions identified as constituting "adequate cause" under the Faculty Conduct, Misconduct, Corrective Action, and Disciplinary

**10.4** Processes and Procedures Rule. The President (or designee) shall initiate any proceedings for dismissal in accordance with that Rule, ensuring appropriate notice, opportunity to respond, and peer-review participation consistent with the shared-governance framework established therein.

**10.5** Faculty Members who refuse to sign or execute an offered annual contract or notice of appointment or reappointment by the date indicated by the University for its execution, or who fail to undertake the duties under such document at a reasonable time, will be deemed to have abandoned their employment with Marshall University and any rights to tenure or future appointment. Faculty Members objecting to terms of such document do not waive their objections to such terms by signing or executing the document.

**11. Faculty Resignation**

A Faculty Member resigning from an existing appointment during or at the end of the academic year should give notice in writing at the earliest opportunity. Professional ethics dictate due consideration of the University's need to have a full complement of faculty throughout the academic year.

**11.5 Emeritus Status**

The University may recognize Faculty Members who have honorably served Marshall University by awarding the individual the honorary designation of Emeritus as described in Rule MUBOG-AA-15, "Emeritus Status for Retired Employees".

**12. Public Employee Grievance Procedure**

A Faculty Member may utilize the grievance procedures set out in West Virginia Code §§ 6C-2-1 *et seq.*

**13. Delegation**

The Board of Governors delegates to the President, in consultation with the appropriate shared-governance bodies, the authority to adopt additional academic affairs internal policies and procedures to effectuate the implementation of this Board of Governors Rule or in furtherance of any other authority that the Board of Governors has specifically delegated to the President pursuant to this Rule. Any action taken pursuant to this delegation must be consistent with the guidelines provided by this Rule.

**14. Implementations and Transition Provisions**

**14.1** This Rule shall take effect July 1, 2028, and shall apply to all faculty members hired on or after July 1, 2028.

**14.2 Initial Application to Promotion and Tenure Candidates**

Faculty members hired after June 30, 2028, shall be governed by the procedures, criteria, and timelines outlined in this Rule. The first cohort of faculty eligible for promotion and/or tenure review under this Rule shall be those applying after June 30, 2029 (or during the 2029–2030 Academic Year).

### **14.3 Transition Period for Existing Faculty**

A seven-year transition period will follow initial implementation to ensure fairness and orderly adoption.

1. Faculty members hired prior to July 1, 2028, will continue to be governed by the promotion and tenure rule in effect at the time of their initial appointment unless they formally elect to be evaluated under this Rule.
2. Faculty who wish to transition to this Rule must notify their Department Chair / School Director and Dean in writing by September 1, 2028. Once elected, evaluation under this Rule will be binding for all subsequent promotion and tenure considerations.
3. Faculty mid-cycle in their probationary or promotion period at the time of implementation will be allowed to complete their probationary cycle under the rule in effect at the time of their initial hire.
4. Non-tenure faculty members eligible for promotion at a higher rank than the next rank established by this policy (i.e., a faculty member at the rank of instructor who is eligible for the rank of Associate Teaching Professor, may, during this transition period, apply directly to that rank. Each academic unit will establish guidelines to ensure non-tenure track faculty members are promoted to the appropriate rank (based on qualifications) and using a transition period procedure approved by the University Faculty Senate's Faculty Personnel Committee and the Provost. This policy must be equitable across the academic units. After the transition period, faculty members must be promoted through subsequent ranks as established in this rule.

### **14.4 Sunset of Prior Policies**

All previous Marshall University promotion and tenure policies, including MUBOG-AA-6, MUBOG-AA-7, MUBOG-AA-9, and any Academic Unit or departmental policies derived from them, shall be fully sunset on June 30, 2035 or seven (7) years following the 2028–2029 Academic Year. Beginning on July 1, 2035 (the 2035–2036 Academic Year), this Rule shall serve as the sole governing rule for all promotion and tenure actions at Marshall University.

### **14.5 Alignment of Academic Unit and Departmental Guidelines**

To ensure uniform implementation and compliance with this Rule, all Academic Units, Colleges, and Departments/Schools shall create, revise, or update their internal governance and personnel policies to align with the provisions, definitions, evaluation standards, and procedural requirements established herein. Each Academic Unit and department shall review and revise (and in some case establish) its internal promotion and tenure guidelines, rubrics, and bylaws to ensure alignment with this Rule. Revised unit-level and departmental documents must be submitted to the University Faculty Senate's Faculty Personnel Committee and the Provost for approval no later than June 30, 2027.

To promote consistency across the institution:

1. Updated unit and departmental guidelines must explicitly reference this Rule as their governing authority.
2. Evaluation rubrics and workload expectations shall be recalibrated to reflect the definitions of performance standards (i.e., “exemplary” and “professional”) performance used in this Rule.

3. Academic Units must update bylaws governing promotion and tenure committee composition, eligibility, and voting procedures to align with the requirements of this Rule.

**14.5.1.1** Specifically, each Academic Unit and Department/School shall establish, revise, or update:

1. Bylaws (all Academic Units, Schools, and Departments)
2. Department-level guidelines and procedures related to promotion and tenure
3. Faculty Workload Policies (Academic Units headed by Deans)
4. Faculty Annual Review processes and procedures (Academic Units headed by Deans Promotion and Tenure Policies/ Guidelines (all Academic Units, Schools, and Departments

**14.5.1.2** The Department Chair/School Director and Academic Dean are responsible for ensuring that these updates are completed by June 30, 2027, and sent to the University Senate Faculty Personnel Committee by July 1, 2027. Department Chair/School Director and Academic Deans cannot unilaterally establish, update/change the policies and procedures without input and approval from their faculty.

**14.5.1.3** Failure to maintain updated and consistent internal policies may result in administrative review by the Office of Academic Affairs, and continued non-compliance may be reported to the Provost for corrective action.

**14.5.1.4** The University Faculty Senate's Faculty Personnel Committee (FPC) and the Office of Academic Affairs may provide guidance and oversight to ensure appropriate and consistent implementation across all Academic Units. All updates at this level must be approved through appropriate University governance processes, including review by the University Faculty Senate's Faculty Personnel Committee and the Provost.

**14.5.2** **Institutional Policy Alignment**

To ensure consistency across Marshall University's academic-personnel framework, the following University and Board-level policies may be reviewed and updated to align with this Rule:

1. MUBOG Rule AA-1 – Sabbatical Leave
2. UPAA-11 – Personnel Records
3. UPAA-12 – Teaching and Administration
4. UPAA-14 – Rule on Adjunct Faculty
5. UPAA-15 – Faculty Salary Increases
6. UPAA-16 – Salary Increases for Library and Clinical Faculty
7. UPAA-20 – Faculty Workload
8. UPAA-21 – Modified Duties for Nine-Month Faculty
9. UPAA-24 – Temporary Faculty Annual Reports and Years Applied Toward Tenure

**14.5.2.1** The University Faculty Senate's Faculty Personnel Committee, in collaboration with the Office of Academic Affairs, may lead the review and revision of the policies listed above to encourage alignment with the standards, definitions, and procedures established by this Rule.

**14.5.2.2** All identified policies shall be reviewed, revised, and approved through appropriate University governance channels no later than April 30, 2028.

**14.5.3** Full implementation of Rule AA-6 may be contingent upon the completion and approval of these institutional-level revisions. Failure to revise and update the identified policies by that deadline may delay full implementation of this Rule until the necessary revisions are finalized and approved by the Faculty Senate and the Board of Governors.

**14.5.4** The Office of Academic Affairs, in consultation with the Faculty Senate Executive Committee and the University Faculty Senate's Faculty Personnel Committee, shall monitor progress toward completion of these revisions and provide annual status reports to the President and Board of Governors until full alignment is achieved.

**14.6 External Review and Evaluation Materials Transition**

Starting July 1, 2027, but before the 2028–2029 academic year (policy transition year), departments will update their external review processes to conform to this Rule's requirements for reviewer independence, selection procedures, and documentation (Appendix 2 and Appendix 3).

- All external reviewer solicitation templates and tracking worksheets must be converted to the new institutional format by October 1, 2028.
- Faculty applying under the legacy rule prior to the sunset date may continue using prior external review forms, provided those reviews are conducted before July 1, 2035.

**15. Policy Review**

No later than July 1, 2035, the University Faculty Senate's Personnel Committee shall conduct a comprehensive review of this Rule and its institutional implementation and shall recommend any necessary amendments to the Provost and Board of Governors for approval prior to the full sunset of prior policies. The University Faculty Senate Personnel Committee will review this rule every five years, thereafter, and will propose revisions to the rule as needed to meet institutional needs.

**Appendix 1**  
**Promotion / Tenure Timeline**

*If the date specified for a deadline does not fall on a Business Day, the deadline shall be the next Business Day after the specified date.*

<b>Item</b>	<b>Date</b>	<b>Semester</b>	<b>Responsible party</b>
Promotion / Tenure Notification Eligibility	1-Feb	Spring Semester before process	Dean
Faculty Candidate Submits letter of intent for promotion/tenure	28-Feb	Spring Semester before process	Candidate
Chair notifies Academic Unit P/T Coordinator and Dean of candidate's intent	1-Mar	Spring Semester before process	Chair
Academic Unit P/T Coordinator create file / document storage structure and grant appropriate access to files / folders	1-Mar	Spring Semester before process	P/T Coordinator
Chair solicits external reviewer suggestions	1-Mar	Spring Semester before process	Chair
Finalized External Reviewer List	30-Apr	Spring Semester before process	Chair
Chair contacts external reviewers	15-May	Spring Semester before process	Chair
Finalized List (those agreeing to review)	1-Jun	Summer Semester before process	Chair
Reviewers notified of timeline	10-Jun	Summer Semester	Chair

			before process	
Candidate submits promotion / tenure packet	15-Aug	Fall semester of application	Candidate	
External reviewers are forwarded application packet	20-Aug	Fall semester of application	Chair	
External Review Letters / Information sent back to Chair	30-Sep	Fall semester of application	Chair	
Chair evaluates external reviewer's independence, makes determination and forwards worksheet on to Academic Dean	5-Oct	Fall semester of application	Chair	
Dean approves Chair's recommendation and sends back to chair.	15-Oct	Fall semester of application	Dean/Chair	
Chair uploads review letters into the candidate's application package.				
Promotion / Tenure Application Packet ready for department P/T Committee review	20-Oct	Fall semester of application	Chair	
Department P/T Recommendations due to Chair	20-Nov	Fall semester of application	Chair Department P/T Committee	
Chair notifies candidate of Department level review results	25-Nov	Fall semester of application	Chair	
Chair completes evaluation of candidate's packet	15-Dec	Fall semester of application	Chair	
Chair notifies the candidate of the results of Department and Chair evaluations	20-Dec	Fall semester of application	Chair	
Candidate responds to Chair regarding any negative recommendations	3-Jan	Spring Semester	Candidate	
Chair sends any response materials to Academic Unit P/T Coordinator	6-Jan	Spring Semester	Chair	
All application materials ready for the Academic Unit P/T Committee	8-Jan	Spring Semester	Academic Unit P/T Coordinator	
P/T Coordinator notifies Dean that Academic Unit P/T committee is ready to review	9-Jan	Spring Semester	Academic Unit P/T Coordinator	
Academic Unit P/T Committee submits their recommendations	15-Feb	Spring Semester	Chair of Academic Unit P/T Committee	
Academic Unit P/T Coordinator will notify candidate's chair about Academic Unit review	16-Feb	Spring Semester	Academic Unit P/T Coordinator	

Academic Unit P/T Coordinator will notify candidate's Dean that application packets are ready for review	16-Feb	Spring Semester	Academic Unit P/T Coordinator
Candidate's Chair will notify candidate of outcome of the Academic Unit P/T Committee	21-Feb	Spring Semester	Chair
Dean submits their recommendation	10-Mar	Spring Semester	Dean
Academic Unit P/T Coordinator will notify Candidate's Chair of Academic Unit P/T Committee and Dean's Recommendations	11-Mar	Spring Semester	Academic Unit P/T Coordinator
Candidate's Chair notifies candidate of the outcome of the Dean's review	16-Mar	Spring Semester	Chair
Candidate may submit response to the Academic Unit P/T Committee's recommendation and/or the Dean's recommendation to their Department Chair.	25-Mar	Spring Semester	Candidate
Chair will notify the Academic Unit P/T Coordinator that response has been received and uploaded.	26-Mar	Spring Semester	Chair
Academic Unit P/T Coordinator will verify receipt of responses and forward application packets to CAO's office	27-Mar	Spring Semester	Academic Unit P/T Coordinator
The Provost reviews all application materials and prepares a written recommendation to the President.	20-Apr	Spring Semester	Provost
President (or designee) will prepare a list of those promoted and/or granted tenure and sends an informational copy to the Chair of the University Faculty Senate Personnel Committee.	30-Apr	Spring Semester	President
President will inform all candidate by written letter and via email with read receipt of their decision.	30-Apr	Spring Semester	President

Appendix 2  
External Reviewer Selection Worksheet

<b>Candidate Information</b>	
<b>Name</b>	
<b>Current Rank &amp; Department</b>	
<b>Years in Current Rank</b>	
<b>Decision Deadline, if any</b>	
<b>Review Type</b>	<input type="checkbox"/> Tenure and Promotion to Associate Professor <input type="checkbox"/> Promotion to Full Professor
<b>Briefly explain your process for assembling the list of potential reviewer names; this should be a collaborative process with senior faculty participation.</b>	

*Please include ALL suggestions on both lists, even if the lists overlap.*

		<input type="checkbox"/>					
		<input type="checkbox"/>					
		<input type="checkbox"/>					
		<input type="checkbox"/>					

**Please explain any overlap between the prior-promotion reviewers and the proposed reviewers for the current promotion.**

Appendix 3  
External Reviewer Solicitation Template

Dear Referee:

Marshall University is evaluating **[name of candidate]** for **[tenure and promotion to associate professor; tenure-only; promotion to full professor]** appointed in the Department(s) of **[name of department(s)]**.

Marshall University is a nationally recognized R2 located in the state of West Virginia. Because you are recognized as a leading scholar in **[name of candidate]**'s field, we would appreciate your assistance in assessing his/her record of work. Marshall University values an inclusive view of scholarship and/or creative activities in the recognition that knowledge is acquired and advanced through discovery, integration, application, creative endeavors, and teaching, as outlined in our Promotion and Tenure Guidelines which are included with this letter. Given this perspective, promotion and tenure reviews, as detailed in the criteria of individual departments and colleges (included with this document), will recognize original research, creative activities, and scholarly contributions in peer-reviewed publications, exhibitions, performances, presentations, reviews, or other documentation of creative activities and scholarly contributions as well as integrative and applied forms of scholarship and/or creative activities that involve cross-cutting collaborations with business and community partners, including translational research, commercialization activities, patents, creative activities, performances, and grants.

In your letter, please note how well you know the candidate professionally and/personally. If you have collaborated with the candidate within the last five years, we will appreciate your describing the nature and extent of your collaborations. This will help us understand your perspective on this candidate and any potential conflicts of interest.

We have attached the following materials to help you evaluate **[name of candidate]**'s record:

1. a curriculum vitae;
2. a statement in which he/she explains his/her program of work;
3. copies of the University Promotion and Tenure policy;
4. copies of our departmental and college promotion/tenure guidance;
5. a timeline of the external review process; and
6. a representative set of **[examples: articles; slides; audio and/or video recordings]**

In addition, their workload has typically been [2-1, 2-2, 3-3, etc.] courses/year with the allocation of effort associated to be X% teaching, X% research/scholarship, X% service, and/or X% administrative. **If applicable A note, [name of candidate] had been automatically granted an extra year toward tenure and promotion and no negative inference should be inferred.**

We appreciate your providing a detailed assessment of the strengths and weaknesses of the candidate's scholarly and research record. Please focus your review comments to the research/scholarly/creative accomplishments and the potential for the candidate to add to the discourse of the discipline