

April 20, 2011

Dr. Hollie Swanson, Senate Council Chair  
The Office of the Senate Council  
203 Main Building  
CAMPUS 0032

Dear Hollie

A major revision of the principal *Administrative Regulation* on promotion and tenure (AR 2:1-1) went into effect on July 1, 2010. First among several substantive changes codified in the revised AR was the concept of a “comprehensive tenure review.” I write to report on the University’s implementation of the comprehensive tenure review process.

Under the terms of a comprehensive tenure review, all tenure dossiers are sent forward from a college for a subsequent round of review, evaluation and final decision-making. No longer does a dean’s negative judgment of a dossier stop a tenure review at the college level. All parties, including deans, agree that the comprehensive tenure review process has greatly improved what is unarguably one of the most important and consequential review processes in this, or any, university. That said, the year’s experience over the past year has revealed one area of concern, which I’d like to address in the remainder of my letter.

In the current language of AR 2:2-1 on the comprehensive tenure review, the President of the University renders the final judgment on a tenure or promotion dossier. We quickly discovered, however, that having the President cast the final decision in those cases created an untenable situation for the subsequent appeals process after a negative decision. A formal appeal is typically lodged in the office one step higher in the reporting structure of the University. Certainly in matters as weighty as the decision to deny the granting of tenure, we would want the university official who adjudicates an appeal to come to the case with an unformed opinion. Furthermore, most tenure appeals are routed through the Senate Appeals Committee on Privilege and Tenure, which advises the President on such matters. The advice from the SACPT ought to inform the President’s thinking on a decision to which the President has not been a party, rather than challenge the President’s thinking on a decision the President has already made.

Therefore, I write to inform you that I will recommend to President Todd that the attached revision of AR 2:1-1 be approved and made effective July 1, 2011. In addition to a number of minor editorial changes, intended to enhance the readability of the document, the substantive change to AR 2:1-1 will assign final approval to the Provost in tenure and promotion cases. Upon appeal, the President will have the authority to sustain or reverse the Provost’s decision.

In summary, I believe that the change discussed above accomplishes two things: (1) It preserves and affirms the core principle of the comprehensive review, that all tenure cases, irrespective of the dean’s judgment, are sent forward for another round of review

by faculty and faculty administrators; and, (2) it protects the independence of the President as the arbiter of an appeal submitted by a faculty person whose tenure or promotion case has been disapproved by the Provost.

Please feel free to share my letter with the members of the Senate Council.

Yours sincerely,

Swamy

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	DATE EFFECTIVE  <b>XX/YY/ZZZZ</b>	SUPERSEDES REGULATION DATED <b>AR II-1.0-1: 3/27/91,  8/20/92, 4/30/93 1/25/94,  11/24/95, 7/1/98, 8/18/98,  1/11/99, 7/27/00, and  AR II-1.0-1, Parts I-III:  7/01/08, 7/01/09</b>

PROCEDURES FOR FACULTY APPOINTMENT, REAPPOINTMENT, PROMOTION  
AND THE GRANTING OF TENURE

I. Introduction

A university capable of educating its students for work and citizenship in the twenty-first century must have an outstanding faculty. These procedures and criteria have been developed for the purpose of continually improving the quality and performance of the faculty in order to enhance the quality of the University's programs and permit the University to achieve its multiple missions.

The review required for promotion and granting of tenure is a summative evaluation of both the candidate's accomplishments over the entire probationary period and the candidate's future scholarly potential. It is based on the criteria set out in the *Administrative Regulations*, which require a consideration of information (e.g., the evaluations of external reviewers) that might not be available for the annual performance and tenure progress reviews.

Faculty appointments are in educational units and shall be of three types: (1) tenure-ineligible appointments; (2) tenured or tenure-eligible appointments; and (3) post-retirement appointments. (GR X-B.1)

Before appointing a faculty employee, the educational unit must ensure that it has followed the established hiring policies and practices of the college, as codified in the college rules and unit rules, and all *Governing Regulations* and *Administrative Regulations* on appointments.

II. Sources of Procedures and Criteria for Appointment and Advancement

A. Procedures

The procedures to be used in each educational unit for preparing recommendations for appointment, reappointment, promotion, and granting of tenure shall be those established by the University, the college and the faculty of the educational unit (GR VII.B). The University procedures are those established in the *Governing Regulations*, the *Administrative Regulations* and as may be

further elaborated by the Provost. In addition to the procedures prescribed here, college-level procedures may be established by the dean in consultation with the college faculty (GR VII.A.4). Additional procedures at the level of the educational unit (hereafter referred to as “the unit”) are established jointly (GR VII.A.5, 6) by the faculty of the unit and by the department chair, graduate center director, school director or the dean in a college without departments or schools (all referred to hereafter as the “educational unit administrator”).

B. Criteria and Evidences of Activity

1. The University-level criteria and evidences of activity to be used in evaluations for appointment, reappointment, promotion, and tenure for the various faculty title series are specified in various sections of the *Administrative Regulations* as indicated below:

- (a) Regular Title Series – (see AR 2:2-1 and 2:2-2)
- (b) Extension Title Series – (see AR 2:3)
- (c) Special Title Series – (see AR 2:4)
- (d) Research Title Series – (see AR 2:5)
- (e) Clinical Title Series – (see AR 2:6)
- (f) Librarian Title Series – (see AR 2:7)
- (g) Adjunct Title Series – (see 2:8)
- (h) Emeritus Faculty – (see sub-section II.C.4 below)
- (i) Lecturer Series – Unit criteria and evidences of activity, and procedures for appointment, reappointment, promotion, and merit review of Lecturer Series Faculty shall be developed by the faculty of those educational units that employ Lecturer Series faculty and submitted to the dean of the college for approval (see AR 2:9).
- (j) Voluntary Title Series – Criteria for academic ranks of voluntary faculty shall be developed by the faculty of those educational units that employ Voluntary Series faculty and submitted to the dean of the college for approval. (see AR 2:10).

2. In addition to the above, each unit's faculty shall develop policy statements describing the evidences of activity in instruction, research and other creative activity, and service that are appropriate to their field(s), for use in guiding evaluations for promotion and tenure. The departmental statement is operative in the unit upon approval by the dean (GR VII.A.6.c). If no such statements are approved for a unit, then only the specifications of the University-level regulations shall be used for evaluation.

C. Other Faculty Appointments

1. Joint Appointments – The constituent appointments relating to a joint appointment may be processed simultaneously or at different times; however, each appointment shall be processed independently and shall be considered on its own merits. An individual's academic rank, though usually the same, may differ in the constituent appointments (see GR X.B.1(a)(ii)).

2. Faculty Employee Assignments at the Veterans Affairs and other academically affiliated non-UK hospitals and clinics – There are occasions when a regular faculty employee may be assigned to work at the Veterans Affairs or another non-UK hospital or clinic pursuant to an academic affiliation agreement. In such cases, salaries may be paid partially or totally by the University, or reimbursed by the affiliated institution. Faculty employees so assigned shall retain all the rights and privileges of regular faculty employees as described in the *Governing Regulations* and *Administrative Regulations* and are subject to all applicable University policies and procedures. Salary funding arrangements shall be defined by contract.

3. Named Professorships – Individuals appointed to named professorships shall meet all criteria for the rank of Professor and shall have acquired national recognition for excellence in instruction, research and other creative activity, or service in their disciplines. While normally reserved for exceptional professors, a named professorship may be granted to an exceptional associate professor. Each named professorship will provide specifically identified resources for program support of a professor, and it is ordinarily expected that a significant portion of the compensation and program support allocations will come from endowment income or extramural gifts (see AR 8:4 "Policies Governing Private Funding of Academic Positions"). In exceptional circumstances (e.g., the recruitment or retention of a member of the National Academy of Science) named professorships may be submitted by the President to the Board of Trustees for approval for which funding may derive from revenue sources other than endowment income or extramural gifts.

4. Emeritus/Emerita Faculty - Upon retirement, tenured faculty members shall retain their titles with the designation of "emeritus" or "emerita" (e.g.,

Professor Emeritus). Faculty employees with emeritus/emerita status are entitled to the following rights and privileges: to be included in faculty lists in University bulletins and, upon request, to be provided a mailbox in the appropriate educational unit; to be assigned office and/or laboratory space and furnished supplies for creative work (upon request, subject to availability and approval of the concerned educational unit); to have faculty library privileges; to apply for research grants and publication subsidies funded by the Office of the Vice President for Research; to receive University identification cards; to receive parking privileges as specified in University parking policies; to participate, upon invitation by the respective unit faculty, as non-voting members of departmental or college faculties; to use University recreational facilities upon presentation of suitable identification; to purchase tickets to athletic events with previous priority status; to hold membership in the University of Kentucky Federal Credit Union; to make purchases at the University Bookstore at the employee discount rate; to participate in academic processions; to be appointed to represent the University at academic ceremonies at other institutions; to receive notices of University events; and to take part generally with the faculties in all social and ceremonial functions of the University.

5. Temporary Faculty Employees - An individual whose assigned duties and responsibilities should be completed within one year or less may be appointed as a faculty employee on a temporary basis. Temporary appointees are not eligible for tenure; however, time spent in a full-time faculty appointment on a temporary basis at the University of Kentucky may be counted as a part of the individual's probationary period should the individual subsequently be appointed to a regular, full-time position in a tenure-eligible title series. Temporary faculty employees are not eligible for University contributions toward employee benefits, but may participate at their own expense in certain University benefit programs.

(a) Visiting Faculty - The designation "visiting" before an academic title indicates that the individual who holds an appointment at an academic institution or research center has been offered a temporary appointment for an academic year, semester, summer session, or other specified term not to exceed one year. The visiting title used should be appropriate to the appointee's home base academic rank (i.e., Visiting Professor, Visiting Associate Professor, Visiting Assistant Professor, or Visiting Instructor). Where the usual academic rank or title does not appear to be suitable, the title "Visiting Lecturer" shall be used. The final decision on such an appointment is made by the Provost upon recommendation of the educational unit administrator and the dean without reference to an Academic Area Advisory Committee. A visiting appointment is typically full-time, either salaried or unsalaried. The

appointment is temporary, by definition, and the visitor is not eligible for faculty benefits. A visiting faculty employee with a salaried full-time appointment is not eligible for University contributions toward employee benefits, but may participate at their own expense in certain University benefit programs. Visiting faculty are not eligible for membership in the University Senate, but faculty membership, with or without voting privileges, may be extended to visiting faculty by the faculty of the educational units to which they are academically appointed. Visiting faculty are not eligible for tenure; however, time spent in a full-time appointment on a visiting basis at the University of Kentucky may be counted as a part of the individual's probationary period should the individual subsequently be appointed to a regular, full-time position in a tenure-eligible title series.

(b) Part-time Faculty - Part-time faculty employees have an official faculty appointment, receive a salary, and participate substantially, but less than full-time, in the program of an educational unit. The dean makes the final decision on appointments of part-time faculty employees at any rank. The appointment shall be for one year or other stated period not to exceed one year, subject to renewal. Appointees are not eligible for tenure, sabbatical leave, or membership in the University Senate. Appointees are not eligible for University contributions toward employee benefits, but may participate at their own expense in certain University benefit programs. Faculty membership, with or without voting privileges, may be extended to part-time faculty employees by the faculty of educational units to which they are academically appointed.

### III. The Comprehensive Tenure Review

In a comprehensive tenure review, a dossier is reviewed at multiple levels of the University (educational unit, college advisory committee and dean, academic area advisory committee and Provost), irrespective of the judgment, favorable or not, at the previous level of review. Considerable deference in tenure cases shall be shown by the Provost to the judgments emanating from the college, especially in cases where the Provost has determined that those college-level judgments (unit faculty, educational unit administrator, college advisory committee and dean) are nearly unanimous, either for or against the granting of tenure. The responsibilities of the Board of Trustees in tenure cases are codified in section IX of this *Administrative Regulation*. The exercise of a comprehensive tenure review shall not affect a faculty person's right to appeal a tenure decision on the grounds of procedure, privilege and/or academic freedom, as provided below (see section XI.B below), or to appeal as provided in the *Governing Regulations* (GR I.I).

A tenure-eligible faculty employee is entitled to one (1) comprehensive tenure review, which shall be completed no later than the end of the next-to-last year of the probationary period. A comprehensive tenure review shall also be extended to a new faculty employee whose initial

appointment at the academic rank of Associate Professor or Professor proposes immediate tenure. In addition, a comprehensive tenure shall be extended to a new faculty employee whose initial tenure-eligible appointment stipulates Professor (without tenure) and whose educational unit initiates a tenure review, and not a non-renewal of appointment, in the first year of service (see section VI.A.6 below).

IV. Tenure Consideration during the Terminal Contract Year

A. By waiving his or her right to a comprehensive tenure review in the next-to-last year of the probationary period (see section VI.A.4 below), a faculty employee forfeits his or her right to a comprehensive tenure review. However, the possibility of consideration for tenure during the terminal contract year, subject to the terms stated in section IV.B, immediately below, is not abridged.

B. After consultation with the unit faculty, an educational unit administrator may initiate a request to the dean for tenure consideration on behalf of a faculty employee who was placed on terminal contract either after a comprehensive tenure review or after waiving his or her right to a comprehensive tenure review (see section VI.A.4 below). If the dean finds insufficient evidence to warrant a new tenure consideration, the dean shall deny the request and notify the educational unit administrator that a terminal year consideration of tenure shall not be initiated. If the dean determines that the evidence in support of a favorable tenure decision has substantially strengthened, the dean may grant the request and authorize the educational unit administrator to initiate the review.

Once initiated, the terminal year tenure review shall be conducted in accordance with the procedural steps enumerated in sections VI-XII below, except that the review process shall be stopped and the specified parties notified, if the dean renders a negative judgment on the tenure proposal. Prior to making his or her judgment, the dean and Provost shall obtain a written recommendation from the specified faculty advisory committee (see sections VII.B.2 and VIII.B.1 below).

V. Tenure Review Prior to the Sixth Year

An educational unit administrator may initiate a tenure review prior to the sixth year of probationary service if, in the opinion of the tenured faculty of the educational unit and the unit administrator, the individual's record of accomplishment across all areas of assignment is commensurate with the award of tenure. (The act of soliciting letters by the educational unit administrator from reviewers external to the University shall constitute the initiation of a tenure review.) The review shall follow the policies and procedures that govern the conduct of the sixth-year (tenure) review, as delineated in Section III above and Sections VI-XII below. However, unlike a tenure review conducted in the sixth year of the probationary period, a tenure review initiated prior to the sixth year can be suspended by the dean. The dean shall notify in writing the educational unit administrator of his or her decision to suspend the tenure review and

indicate that the individual under review shall be entitled to an ordinary reappointment review at the appropriate time in that contract period and in subsequent contract periods.

A faculty employee whose tenure review has been suspended by the dean shall not be eligible for a subsequent tenure review until the sixth year of his or her probationary period. A sixth-year comprehensive tenure review of an individual whose previous tenure review was suspended by the dean shall be conducted according to the policies and procedures delineated in Sections III above and VI-XII below. The educational unit administrator shall include in the sixth-year (tenure) dossier, in addition to the external letters solicited for the comprehensive tenure review itself, those evaluative letters from the previously suspended tenure review that were submitted by reviewers external to the University.

VI. Procedural Steps Occurring at the Level of the Educational Unit

A. Initiating the Review Process

1. Recommendations for appointment, reappointment, terminal reappointment, joint appointment, post-retirement appointment, decision not to reappoint, promotion and the granting of tenure, concerning faculty of any rank or title series, shall be initiated by the educational unit administrator.
2. Reviews for reappointment or granting tenure shall be completed in time for the affected faculty employee to be notified of the result in accordance with GR X.B.1(e). Except for circumstances identified in GR X.B.1(f)(i), a faculty employee being considered for the granting of tenure shall not be asked to sign a terminal reappointment contract prior to a final decision by the Provost to disapprove tenure.
3. During the second year at the rank of Instructor, the individual shall be considered for promotion or terminal reappointment effective in the third year, unless the individual requests in writing that such not be done because of the intent to resign or willingness to accept a terminal reappointment.
4. An assistant professor shall be considered for promotion and tenure no later than the next-to-last year of a probationary period, unless the individual requests in writing that such consideration not be done because of the intent to resign or willingness to accept a terminal reappointment.
5. An associate professor without tenure may be considered for tenure at any time prior to the next-to-last year of the stated probationary period. However, a tenure-eligible associate professor shall be considered for tenure no later than the next-to-last year of a probationary period, unless the individual requests in writing that such not be done because of the intent to resign or willingness to accept a terminal reappointment.

6. A tenure-eligible professor shall be considered for tenure in the first half of a one-year probationary period, unless the individual requests in writing that such not be done because of the intent to resign or willingness to accept a notice of non-renewal of appointment.

B. Consultations Conducted by the Educational Unit Administrator

Individuals who have defined or assigned administrative roles and participate in the decision-making at or above the level of educational unit administrator shall not be involved as consulted faculty employees in the educational unit in which they hold an academic appointment.

C. Consultation with Applicants and New Faculty

1. Either before or at the time of interview of an individual for a faculty appointment, the educational unit administrator shall inform the individual about those parts of the *Governing Regulations* and the *Administrative Regulations* that deal with appointment, reappointment, promotion and tenure and shall provide access to these regulations as requested. At the time an appointment is offered, an individual shall be informed of the criteria for academic ranks by the educational unit administrator.

2. The educational unit administrator shall inform all new faculty employees, including temporary faculty employees, (within one month of the beginning of their employment) of the existence and locations of the following University documents: (a) the *Governing Regulations*; (b) the *Administrative Regulations*; (c) the *Rules of the University Senate*, in particular the Faculty Code; (d) the rules and procedures of their college; (e) the rules and procedures of their educational unit; and (f) the *Student Rights and Responsibilities*. Access to any of these documents shall be provided by the educational unit administrator as requested.

D. Consultation with the Faculty Candidate for Promotion or Tenure

Prior to the initiation of a recommendation concerning tenure for an individual during the next-to-last-year of a probationary period, the educational unit administrator shall consult with the faculty employee as to whether the individual waives the exercise and thereby stops the consideration. Any such waiver shall be in writing to the dean and the dean shall offer the individual a terminal reappointment. An assistant professor or associate professor with tenure whose promotion to a higher rank has not been considered by an academic area advisory committee for a period of six years may request such consideration by September 1 of the seventh or a subsequent year. The educational unit administrator shall make the individual aware of the option to submit such a request.

E. Assembly of the Dossier

1. The educational unit administrator is responsible for the assembly of a dossier associated with a faculty personnel recommendation. The dossier is prepared from materials in the Standard Personnel File (see below) and from additional materials supplied by the educational unit administrator and faculty employee. The dossier contents necessary for most faculty personnel actions other than annual faculty performance review are specified in Appendix II (Dossier Contents.) In the preparation of a joint appointment dossier, the educational unit administrator in the secondary department shall develop the dossier for the secondary appointment.

2. All written judgments from consulted individuals shall be obtained only through the request of the educational unit administrator.

3. Pursuant to Kentucky Revised Statutes KRS 61.878(3), the written judgments of persons consulted in connection with appointments, terminal reappointments, promotions, and tenure decisions shall be handled in a confidential manner but, upon request, the candidate has the right to review all letters placed in the individual's dossier. The writers of such judgments shall be notified when their judgments are solicited that the candidate, upon his or her request, shall be granted access to all letters placed in the individual's dossier.

4. No materials will be made part of a faculty employee's dossier other than those described above and specified in Appendix II (Matrix of Dossier Contents), except with the written permission of the faculty employee under review.

F. The Standard Personnel File

1. There shall be one Standard Personnel File maintained for each faculty employee. The Standard Personnel File contains the Notice of Academic Appointment and Assignment form, curriculum vitae, the teaching credentials certification form and, if appropriate, the teaching credentials justification form, and transcripts of academic work leading to advanced degrees. This personnel file also contains many of the crucial materials, particularly evaluation materials, needed for or taken from the dossier, which are defined below. The file contains Distributions of Effort forms, correspondence between the individual and educational unit administrator concerning academic employment conditions and salary, faculty merit or other evaluation reports, evaluations prepared by committees and those of educational unit administrators, and all other professional evaluation reports. The file shall also contain materials related to responsibilities that the faculty employee has to governmental or other agencies. The file contains regularly updated assessments of effectiveness in instruction, research and other creative activity, and service.

2. The Standard Personnel File shall be updated regularly and in particular completed by actions of the educational unit administrator, and also actions of the faculty employee. The faculty employee shall update his or her curriculum vitae annually and such other documents as he or she deems appropriate. The educational unit administrator shall update files as necessary to keep them reasonably current.

3. Unsolicited materials relevant to professional function may be included in the Standard Personnel File by the educational unit administrator provided the faculty employee sees them and is offered the opportunity to document his or her response to them. The faculty employee's written responses shall be placed by the educational unit administrator in the individual's Standard Personnel File.

4. The Standard Personnel File shall be kept in the office of the educational unit administrator or in the office of the dean as deemed appropriate for each educational unit by the dean. No other Standard Personnel File shall be kept. The Standard Personnel File shall always be available to the faculty employee and to such other persons who he or she authorizes in writing to see that file. The Standard Personnel File is always accessible to the educational unit administrator or higher administrative officer who is responsible for its maintenance and to such administrators superior to him or her who request access to the file.

5. The Standard Personnel File may contain communications to or from the faculty employee, solicited or unsolicited letters or memos relating to professional function, which are not relevant to consideration for promotion or the granting of tenure.

G. Consultation with the Faculty in the Educational Unit

1. An educational unit administrator shall consult with appropriate faculty employees of the unit in preparing recommendations for appointments, reappointments, promotion and/or the granting of tenure, as delineated above, such consultation being in accordance with *Governing Regulations* section VII.B.5. See also Appendix I (Matrix of Consultations and Written Judgments).

2. The following provisions apply to the solicitation of outside letters by the educational unit administrator:

(a) A promotion or tenure dossier shall include a minimum of six (6) letters of evaluation from qualified persons outside the University. These outside letters are crucial in promotion and tenure reviews.

(b) The letters from outside of the University shall be obtained by the educational unit administrator directly from appropriately qualified persons selected in part from, and in part independent of, suggestions of the individual being considered for promotion or tenure.

(c) At least four (4) of the letters from outside of the University shall come from reviewers selected by the educational unit administrator independent of the candidate for promotion or tenure.

(d) Outside letters from scholars at research-oriented universities shall be given the most serious consideration, except in promotion and tenure reviews involving faculty employees whose assignments do not include significant research responsibilities. Where deemed appropriate by the unit administrator, letters from persons affiliated with prestigious non-academic institutes, centers or specialized schools may be used.

(e) The letters from outside of the University shall be accompanied in a promotion and/or tenure dossier by a written statement by the educational unit administrator indicating for each letter whether or not the name of the respondent had been suggested by the individual under consideration and, if known, whether or not the respondent had been a previous faculty colleague of the individual.

3. The educational unit administrator shall notify the consulted faculty employees when the dossier is available for their review. All letters from outside of the University received shall be included in the dossier and made available to consulted faculty employees prior to their providing individual written judgments to the educational unit administrator. The consulted faculty employees shall be expected to read and consider the contents of the dossier, including the outside letters, on matters of appointment, reappointment, promotion and/or the granting of tenure, before providing individual written judgments to the educational unit administrator.

H. Recommendation of the Educational Unit Administrator to the College Dean

The educational unit administrator shall add to the dossier all written judgments received from the unit faculty, and his or her written recommendation, and forward that completed dossier to the dean. Where disagreement occurs between the educational unit administrator and the consulted educational unit faculty concerning a recommendation, the educational unit administrator shall report this difference with adequate documentation to the dean and also notify the consulted unit faculty regarding such action.

VII. Procedural Steps Occurring at the Level of the College

A. Completeness of the Dossier

The dean shall review the dossier for completeness (see Appendix II) and procedural compliance. If the dossier is not complete or procedurally compliant, the dean shall direct the educational unit administrator to secure the missing materials or procedural compliance and, as appropriate, to allow the consulted unit faculty to examine the new materials and contribute new consultative input to the educational unit administrator or to submit new written judgments.

B. Consultation with College Advisory Committee on Appointment, Reappointment, Promotion and Tenure

1. Each college with at least two educational units (e.g., departments, schools and graduate centers) within the college shall have a college advisory committee comprised of tenured faculty members from the college faculty, excluding educational unit administrators and assistant/associate deans. The college advisory committee shall be concerned with policy matters on, and individual cases related to, faculty appointment, reappointment, promotion and the granting of tenure. Its members may be elected by the college faculty, or appointed by the dean after consultation with an appropriate faculty body of the college as documented in the College Rules. Upon prior recommendation by the college faculty and approval of the dean and the Provost, a large college comprised of multiple departments representing a diversity of academic disciplines may establish multiple college advisory committees. Such an arrangement shall be documented in the College Rules.
2. Prior to making a recommendation or decision on terminal reappointments or decisions not to reappoint, the dean shall provide the dossier to the college advisory committee, and obtain its written recommendation.
3. The dean shall also obtain a written recommendation from the college advisory committee whenever an assistant professor, associate professor, or professor is considered for promotion and/or tenure.
4. A written recommendation from the college advisory committee shall also be sought for initial appointments at the ranks of associate professor or professor.
5. A member of a college advisory committee or an academic area advisory committee shall be excluded from any participation in that committee's consideration of a recommendation initiating from the educational unit in which the faculty employee holds a primary academic appointment. He or she shall participate fully in the unit-level evaluation of those candidates. Persons shall not

serve at the same time as a member of both a college advisory committee and an academic area advisory committee.

C. Actions Taken by the Dean

1. The dean of a college shall make the final University decision to approve or disapprove a recommendation for those actions specified in Appendix III (Matrix of Authority of the Dean) as being delegated to the dean's final authority. The dean shall notify the candidate in writing of the action taken, with a copy of that notification to the educational unit administrator, and as specified in Appendix III the dean shall communicate the action taken through the Provost to the President to be reported to the Board of Trustees.

2. If a dean disapproves an educational unit administrator's recommendation for reappointment at any rank and offers a terminal reappointment instead, but the tenured members of the unit faculty reaffirm their positive judgment by majority vote and the educational unit administrator reaffirms his or her positive recommendation for reappointment, the Provost shall refer the matter to the pertinent academic area advisory committee.

3. In actions for which the dean is not delegated final approval (see Appendix III), the dean shall obtain, as appropriate, the written recommendation from the college's advisory committee, and then act upon the recommendation from the educational unit administrator. If the dean approves a positive recommendation or overturns a negative recommendation of the educational unit administrator, the dean's written recommendation and the written recommendation of the college advisory committee shall both be added to the dossier and forwarded to the Provost.

4. In cases involving a comprehensive tenure review, the dean shall first obtain the written recommendation from the college's advisory committee on the tenure recommendation of the educational unit administrator. The dean shall then reach a judgment on the recommendation from the educational unit administrator. Finally, the dean shall add to the dossier both the written recommendation of the college's advisory committee and the dean's written recommendation, and forward the dossier to the Provost.

VIII. Procedural Steps Occurring at the Level of the Provost

A. Completeness of the Dossier

The Provost shall ensure that the dossier is complete and procedurally compliant. (Appendix II) If the dossier is not complete or if there is procedural noncompliance, the Provost shall direct the dean to secure the missing materials or the procedural compliance

and, as appropriate, to allow the consulted unit faculty, the educational unit administrator, the college advisory committee, and the dean to examine the materials and contribute new consultative input or to submit new written judgments or recommendations.

B. Recommendations from Academic Area Advisory Committee

1. Academic Area Advisory Committee

(a) The Provost shall forward the dossier to the appropriate academic area advisory committee for all cases involving appointment at, or promotion to the rank of Associate Professor or Professor, or the granting of tenure. In those cases that have not received near-unanimous support from all lower-level reviewers (external letter writers, unit faculty and educational unit administrator, college advisory committee and dean) the Provost shall require a written evaluation from the academic area advisory committee. The academic area advisory committee may elect to submit to the Provost a written evaluation on any case assigned to that committee. If the Provost is inclined to render a negative judgment on a case that has received near-unanimous support from all lower-level reviewers, but which has not been recommended on by an academic area advisory committee, the Provost shall first obtain a written recommendation from an academic area advisory committee.

(b) For cases in which the Provost has received a dean's recommendation for terminal reappointment of an individual, in contrast to the majority vote of the tenured faculty and educational unit administrator's concurrence for reappointment, the Provost shall refer the matter to the appropriate academic area advisory committee for an independent written evaluation. The committee in its deliberations shall address itself to the individual's scholarly potential, ability as an instructor, and other professional qualifications indicative of a probable eventual tenured appointment and shall submit a written recommendation to the Provost.

(c) An academic area advisory committee may request the written advice of an ad hoc committee (appointed by the Provost) for further evaluation before returning the dossier with the ad hoc committee's written advice, and the academic area advisory committee's written recommendation, to the Provost.

C. Actions Taken by the Provost

1. The Provost shall make the final University decision to approve or disapprove a recommendation concerning Visiting Title Series faculty and

promotion to Senior Lecturer. The Provost shall communicate approval through the President to the Board of Trustees and convey the substance of his or her final action (approval or disapproval) in writing to the dean. The dean shall notify the candidate in writing with a copy of that notification to the educational unit administrator.

2. For cases in which the Provost has received a dean's recommendation for terminal reappointment of an individual, in contrast to the majority vote of the tenured faculty and educational unit administrator's concurrence for reappointment, the Provost shall refer the matter to the pertinent academic area advisory committee and request a written recommendation. After reviewing the dean's recommendation, the material forwarded through the dean from the educational unit and the written recommendation from the academic area advisory committee, the Provost shall either approve the proposal for terminal reappointment and report the action through the President to the Board of Trustees and notify the dean in writing, or disapprove and stop the terminal reappointment proposal and notify the dean in writing of the Provost's decision for reappointment. The dean shall notify the candidate in writing of the Provost's decision, with that notification by the dean being copied to the educational unit administrator.

3. For proposals involving the consideration of initial appointment (with or without tenure), reappointment, promotion, or the granting of tenure in the terminal year of a probationary period, the Provost shall review the dossier and all recommendations and either make a positive recommendation through the President to the Board of Trustees, which shall take final action, or disapprove, stop the personnel action and notify the dean. The dean shall notify the candidate in writing with a copy of that notification to the educational unit administrator.

4. In cases involving a comprehensive tenure review, the Provost shall first consider the written recommendation, if any, from the appropriate academic area advisory committee (see section VIII.B.1). The Provost shall then reach a judgment on the recommendation of the dean and either make a positive recommendation on the tenure case through the President to the Board of Trustees, which shall take final action, or disapprove, stop the tenure review and notify the dean. The dean shall notify the candidate in writing with a copy of that notification to the educational unit administrator.

#### IX. Procedural Steps Occurring at the Level of the Board of Trustees

A. The Board of Trustees shall take final action on the proposal by approving or disapproving the Provost's recommendation. The President, through the Provost, shall inform the dean in writing of the Board's action. The dean shall notify the candidate in writing with a copy of that notification to the educational unit administrator.

B. The Notice of Academic Appointment and Assignment form constitutes the official appointment record. With the exception of salary, the precise terms and conditions covering each appointment shall be stated in writing on that form. The appointment, including salary, becomes final when it is approved by or reported to the Board of Trustees.

C. Notice of reappointment for tenure-eligible faculty shall be processed in a timely manner, preferably at least three months before the renewed appointment begins. It shall be the responsibility of the Provost to ensure compliance with this regulation.

D. The ending date of the probationary period in a tenure-eligible appointment shall be set by the dean prior to signing the initial Notice of Academic Appointment and Assignment form and shall not exceed seven years from date of initial appointment, except as permitted in GR X.B.1(c). Previous full-time service with the rank of Instructor or higher at another institution of higher learning may be counted as part of the probationary period as negotiated between the appointee and the dean prior to initial appointment. Time spent in a full-time faculty appointment on a visiting or temporary basis at the University of Kentucky may be counted as a part of the individual's probationary period, as negotiated between the appointee and the dean, should the individual subsequently be appointed to a regular, full-time faculty position in a tenure-eligible title series.

X. Procedural Steps Involving a Negative Recommendation to Reappoint, Promote or Grant Tenure.

A. Whenever a recommendation is disapproved at any level, this fact shall be reported back to the preceding level(s) and an opportunity provided for a thorough discussion of the recommendation among the concerned parties.

B. Any related formal appeal(s) to the President concerning procedural matters or privilege or to the University Senate Advisory Committee on Privilege and Tenure concerning procedural matters, privilege, or allegations of violation of academic freedom shall be initiated in writing by the faculty employee within 60 days after being notified in writing by the dean of the disapproval of the recommendation to reappointment, promote or grant tenure. When such an appeal to the University Senate Advisory Committee on Privilege and Tenure has been initiated in writing by a faculty employee, the chair of that committee shall inform the appropriate dean and Provost of that development.

C.

XI. Final Disposition of the Dossier

At the conclusion of processes leading to negative decisions about appointments, reappointments, promotions or the granting of tenure, the dossier shall remain intact during the

sixty (60) day period for filing an appeal, or, in cases where a formal appeal has been filed, until such time that a final decision has been rendered. Thereafter, the dossier shall not be retained, although all evaluative letters and reports or reviews contained in the dossier shall be added to the faculty employee's Standard Personnel File. Representative examples of research and other creative activity included in the dossier as it was developed shall be returned to the faculty member for his or her retention. The teaching portfolio, or teaching materials submitted by the faculty employee, shall also be returned to the faculty employee.

XII. Appendices

- A. Appendix I – Matrix of Consultation and Written Judgments
- B. Appendix II – Dossier Contents
- C. Appendix III – Matrix of Authority of the Dean