

James Madison University Libraries Promotion and Tenure Guidelines

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87 1. Introduction

88 This document covers professional contracts, development, and performance assessment for
 89 tenure-track and Renewable-Term Appointment (RTA) faculty. It serves as a guide to the
 90 individual librarians, the Personnel Advisory Committee (PAC), supervisors, the Academic Unit
 91 Heads (AUH), and the Dean of Libraries & Educational Technologies (L&ET). It should be used
 92 in concert with the [James Madison University Faculty Handbook](#). This document shall be
 93 reviewed annually by the PAC to maintain alignment with the Faculty Handbook. In cases of
 94 discrepancy between the Faculty Handbook and this document, the Faculty Handbook shall
 95 take precedence.

96 Librarians are considered professional faculty, though are eligible for tenure. (See [Faculty](#)
 97 [Handbook Section III.E.7](#)) They have the same obligation to commit themselves to a program of
 98 professional development as do the other faculty. This document defines *instruction* as any
 99 professional effort that connects library resources to the JMU community of scholars. This
 100 could be traditional face-to-face instruction, courses for credit, workshops, individual
 101 assistance, web development, collections work, or the creation of spaces—virtual or physical.
 102 As with teaching faculty, research and service are also important components of the librarians'
 103 professional development.

104 1.1 Applicability

105 Non-librarian A&P Faculty within the Libraries are not specifically referred to in this document,
 106 but may be eligible for promotion and tenure. Refer to Faculty Handbook Sections [III.E.6](#), and
 107 [III.E.7](#) for information specific to non-librarian A&P Faculty.

108 1.2 Version

109 The current version of the James Madison University Libraries Promotion and Tenure
 110 Guidelines (PTG) supersedes all previous versions, and its terms replace the terms contained in
 111 previous versions. The university expressly reserves the right to change policies, benefits, and
 112 procedures, and faculty members shall be bound by changes as they become effective. Changes
 113 to the PTG are made as needed by the sitting Librarian PAC and are approved by majority vote
 114 of eligible faculty members.

1.3 Contracts

For information on contracts, see [Faculty Handbook Section III.D.](#)

1.4 Word Usage

- **Academic Unit** is defined as an administrative department or its functional equivalent, as identified by the provost.
- **Academic Unit Head** is “the head of an academic department or the functional equivalent of that position,” according to Academic Affairs Policy #2 Academic Unit Heads. For the purposes of this document, the AUHs shall be defined as the Associate Deans of the Libraries.
- **Day** indicates a calendar day, unless otherwise specified. If, however, a specified deadline falls on a day when the university is not scheduled to be open, or is not actually open for business (as in an emergency closing, a holiday, or a weekend), the deadline shall be the next day the university is actually open for business.
- **Must** and **shall** indicate mandatory actions.
- **Should** and **may** indicate discretion on the part of the actor.
- **Will** is intended to be descriptive only and does not obligate or direct any action.

All references to any entity or publication refer to those entities and publications at James Madison University unless otherwise specified.

1.5 Abbreviations and Style

This handbook is intended to conform to the stylistic conventions in use at James Madison University. After a name or title has been used the first time, it will usually be abbreviated.

Some examples are listed below:

- Academic Unit Head – AUH
- Personnel Advisory Committee – PAC
- Administrative and Professional Faculty – A&P
- Board of Visitors – BOV
- Provost and Senior Vice President for Academic Affairs – provost
- Faculty Annual Review – FAR
- Faculty Anticipated Activity Plan – FAAP
- Renewable Term Appointment – RTA
- Speaker of the Faculty Senate – Speaker

2. Evaluations

All full-time faculty are subject to a Faculty Annual Review, which evaluates their performance.

The purpose of evaluation of faculty members at James Madison University is to promote professionalism, to encourage performance at the highest levels and to indicate areas in which improvement is needed. Evaluations are also used in making personnel decisions, including allocation of merit pay increases, continuation of employment and initiation of post-tenure review.

AUH will conduct the FAR of faculty. Evaluations support a variety of decisions including those affecting tenure and promotion and are integral components of PAC reviews. The FAAP and FAR processes completed by faculty and AUHs are inextricably linked to the evaluation under PAC and/or AUH or the Dean's purview.

Librarians are responsible for keeping comprehensive records of their professional activities to supply supporting documentation for any of the following reviews:

2.1 Types of Evaluations

AUH Evaluations:

- Initial evaluation. The initial evaluation will be conducted at the end of the faculty member's first six months of employment. The initial evaluation becomes a matter of L&ET record and is filed in L&ET Human Resources Department.
- Faculty Annual Review (FAR). Appeals of FARs are referred to the PAC.

PAC Evaluations:

- First year review. This is advisory to the faculty member and becomes part of L&ET record. During the spring semester after the faculty member has completed at least six months of employment, the PAC will conduct a brief first year review.
- Third year review or mid-term reviews. The third year review is advisory to the faculty member.
- Evaluations for promotion in rank and/or tenure decisions are conducted in addition to the FAR in the appropriate year. They become a matter of L&ET record and are filed in L&ET Human Resources Department.
- Non-renewal of contracts.
- Post-tenure review.

Copies of all evaluations that are to be maintained as a matter of L&ET record shall be stored in faculty member's personnel file. (See [Faculty Handbook, Section III.G.](#)) A faculty member may examine his or her personnel files wherever they are kept.

2.2 Evaluation Fundamentals

2.2.1 Academic Freedom and Responsibility

The evaluation of a faculty member shall not infringe upon the exercise of academic freedom, as defined in [Faculty Handbook, Section III.A.2](#). A faculty member's right to exercise academic freedom carries with it concomitant responsibilities. These responsibilities are owed to students, colleagues, the scholarly community and the institution. Failure to live up to these responsibilities carries with it the possibility of sanctions, up to and including dismissal.

2.2.2 Criteria

All evaluations shall consider a faculty member's performance as set out in [Faculty Handbook, Section III.E.2.b](#). Additionally, any aspects of a faculty member's conduct that impacts performance, positive or negative, should be addressed in these evaluations.

2.2.3 Applicability

The procedures and criteria for a particular type of evaluation shall be applied equally to all faculty members in the Libraries.

2.2.4 Access to Records by PAC

In support of its role in evaluations, the PAC has the right to review all relevant material in the faculty member's personnel file in the L&ET Human Resources Department. Before the personnel file is made available to the PAC, the AUH will divide the file into those documents that are relevant for consideration and those that are not. The AUH will provide the faculty member with the opportunity to object to the division of documents. The faculty member may ask the dean to resolve any such objection or may place a statement in the materials to be accessible to the PAC. (See [Faculty Handbook, Section III.G.2](#).)

2.2.5 Access to Records by Faculty Member

In the evaluation process, if documents are to be considered that were not submitted by the faculty member or contained in the faculty member's personnel files, the faculty member shall promptly be given access to the documents and given an opportunity to respond to them. A faculty member may elect to waive his or her right to access specific documents.

2.2.6 Approval

Faculty evaluation procedures and criteria (promotion and tenure, FAAP and FAR) must be approved by the faculty, AUH, dean, appropriate vice provost and provost as appropriate.

2.2.7 Distribution

Library procedures and criteria shall be distributed to the faculty and provided to a new faculty member upon joining the faculty by the AUH.

2.3 Evaluation Bodies and Criteria

2.3.1 PAC

The Libraries has a Personnel Advisory Committee (PAC) (See [Faculty Handbook Section III.E.2.a.](#)). The committee advises the AUH and makes recommendations on personnel matters within the Libraries. The PAC is responsible to the faculty and to the AUH for conducting its functions, and the dean shall provide oversight of the work of the PAC to determine if it has followed appropriate procedures.

Guidelines for PAC elections are [on the PAC website](#).

2.3.2 Criteria

The areas of performance that shall be considered in all [performance evaluations](#) are as follows:

- job performance
- scholarly achievement and professional qualifications
- professional service

Additionally, any aspects of a faculty member's conduct that impacts performance, positive or negative, should be addressed in the evaluation of these performance areas.

The methods by which these areas are to be evaluated are as follows:

2.3.2.1 Job Performance

Consideration of job performance must include, but need not be limited to, the following: self-evaluation, evaluations by peers and/or AUHs. Job performance is understood as each faculty member's practice of librarianship, which may include: collection development, reference services, course-related instruction, management, cataloging, web development, etc. as is appropriate for the individual faculty member. The components comprising each faculty member's job performance are delineated in his or her position description.

2.3.2.2 Scholarly Achievement and Professional Qualifications

Evaluation criteria in this area may differ according to job responsibilities. Criteria should include, but need not be limited to, publication of scholarly works, presentations at professional conferences, achievement through performance in the arts, engaging in

246 recognized research, obtaining research grants, continuing professional development through
247 formal course work, publication of educational materials and consulting activities.

248 **2.3.2.3 Professional Service**

249 Evaluation of activity in this area shall include committee service and leadership at James
250 Madison University or in professional or educational organizations, or service otherwise
251 enhancing the profession, the Libraries, college or university.

252 **2.4 Initial Evaluation**

253 The AUH shall provide a new faculty member with information concerning the academic unit
254 evaluation procedures and criteria in the faculty member's first month of employment. The
255 initial evaluation will be conducted at the end of the faculty member's first six months of full-
256 time employment of employment. The following policies and procedures apply to the initial
257 evaluation:

258 **2.4.1 Conference**

259 At the start of a new faculty member's second full semester, the AUH shall schedule an
260 evaluation conference with the faculty member. The conference provides an opportunity to
261 discuss the faculty member's first semester performance and professional needs as perceived
262 by both the faculty member and AUH.

263 **2.4.2 Documentation**

264 Either prior to or following the conference, the AUH may request that the faculty member
265 supply information for review and evaluation purposes.

266 **2.4.3 Written Evaluation**

267 The AUH shall provide to the faculty member a written initial evaluation within 14 days of the
268 evaluation conference. The evaluation shall state whether the faculty member's overall
269 performance has been satisfactory or unsatisfactory.

270 **2.4.4 Deadline**

271 The initial evaluation process shall be completed by the end of the faculty member's first six
272 months of employment.

2.4.5 Dean's Review

A copy of the evaluation, signed by the faculty member and the AUH, shall be sent to the dean by the AUH. If the faculty member refuses to sign the evaluation, this refusal shall be noted on the evaluation when the AUH sends it forward to the dean.

2.4.6 Nonrenewal

Unsatisfactory performance as determined in the initial evaluation will normally result in nonrenewal of an appointment of an untenured first-year faculty member. PAC review of the faculty member's performance is required as specified in [Faculty Handbook, Section III.F.3](#) if the AUH finds that the faculty member's performance is unsatisfactory. The PAC review must be completed and sent to the dean within seven days of receiving a recommendation for nonrenewal of a first-year faculty member from the AUH. (See [Faculty Handbook, Section III.F.3.c.](#))

2.5 Faculty Annual Review

The FAR shall consider the performance of the faculty member both within and outside of the academic unit in the areas of job performance, scholarly achievement and professional qualifications, and professional service. Additionally, any aspects of a faculty member's conduct that impacts performance, positive or negative, should be addressed in these evaluations. The AUH will solicit input from appropriate individuals outside of the academic unit, including the librarian's liaison area. The AUH may solicit information from the PAC. If the AUH is not the faculty member's supervisor, he or she will solicit input from the immediate supervisor.

In each of the three performance areas, a faculty member shall be evaluated as excellent, satisfactory or unsatisfactory. In addition to an evaluation in each of the three areas of performance, the faculty member's overall performance must be evaluated as satisfactory or unsatisfactory. A factor in determining overall annual performance must be the relative weight associated with each of the areas of performance.

2.5.1 Faculty Anticipated Activity Plan

By **August 31**, each faculty member shall submit a Faculty Anticipated Activity Plan (FAAP), a description of anticipated activities for the coming year to the AUH. The relative weights of the three performance areas of job performance, scholarly achievement and professional qualifications, and professional service for an individual faculty member shall be determined by the faculty member and the AUH prior to the start of the academic year. The agreement should be shared with the PAC at the third year review and at the time of tenure review. If no individual weights are negotiated, standard weights shall be:

- 60% Job Performance
- 20% Scholarly Achievement and Professional Qualifications
- 20% Professional Service

309 The agreement on weights may be renegotiated during the year under appropriate
310 circumstances.

311 **2.5.2 Faculty Annual Review**

312 By **July 31**, each faculty member shall submit a summary of activities and accomplishments
313 during the previous 12 months in the areas of job performance, scholarly achievement and
314 professional qualifications, and professional service to the AUH for review and evaluation
315 purposes, using the approved format.

316 **2.5.3 Preliminary Evaluation**

317 A preliminary written evaluation is to be given to each faculty member by the AUH prior to the
318 regular FAR conference. The preliminary evaluation shall be given to the faculty member at
319 least one day prior to the scheduled conference.

320 **2.5.4 Conference**

321 The evaluation conference must provide an opportunity to discuss the faculty member's
322 performance, professional contributions and needs as perceived by both the faculty member
323 and AUH. The conference may be cancelled by mutual agreement of the faculty member and the
324 AUH, if both agree on the terms of the preliminary evaluation.

325 **2.5.5 Official Evaluation**

326 The official written evaluation shall not be finalized until after the evaluation conference,
327 unless the faculty member and AUH determine that no conference is required.

328 **2.5.6 Deadline**

329 The AUH shall provide the official written evaluation to the faculty member by **October 1**. Any
330 failure to meet this deadline will extend the appeal process (See [Faculty Handbook Section](#)
331 [III.E.4.g.](#)) by the number of days the written evaluation is late.

332 **2.5.7 Appeal**

333 Before the AUH submits the official written evaluation to the dean, there must be an
334 opportunity for the faculty member to review and appeal the evaluation to the PAC. The faculty
335 member has a maximum of seven days following receipt of the official written evaluation to
336 make the appeal in writing. Failure to file a timely written appeal will result in the evaluation
337 being sent forward to the dean, and no further appeal rights are available.

2.5.8 Review Criteria

In considering an appeal, the crucial questions for the reviewing body are whether all relevant information was objectively reviewed by the AUH, and whether the AUH evaluated similar achievements among similarly situated faculty members using the same standard of judgment. The recommendations of the reviewing body will be given to the AUH, with a copy to the faculty member and the dean. The reviewing body may recommend that the AUH's evaluation be upheld or modified. If the AUH agrees with the recommendations of the reviewing body, he or she will take the appropriate action to confirm or modify his or her original evaluation, and will notify the reviewing body, the faculty member and the dean of his or her decision. The appeal process in the academic unit must be completed by **October 21**. The evaluation process is not final until any appeal has been completed.

2.5.9 Final Evaluation

The faculty member and the AUH shall sign the final evaluation and the AUH will send a copy of it to the dean by **October 28**. If the faculty member does not sign the final evaluation, the AUH will forward it to the dean with a notation that the faculty member declined or failed to sign.

If the AUH's evaluation is not modified as recommended by the reviewing body, the dean will review the AUH's evaluation and the reviewing body's recommendations to determine whether the AUH's evaluation will be upheld or modified. The dean is not bound by the reviewing body's recommendations, and may take any action on the evaluation he or she deems appropriate. The decision of the dean on the evaluation is final, and is not subject to appeal.

2.5.10 Salary Adjustments

Annual salary adjustments for faculty members are dependent on, but not guaranteed by the results of the FAR. Determination of faculty salaries in the academic unit for the upcoming year shall not be made until the FAR of each faculty member in the academic unit has been completed by the AUH. See [Faculty Handbook, Section III.1.2](#) for further information on the process for determining annual salary adjustments for faculty members, including appeal and timetable information.

2.5.11 Unsatisfactory Evaluation of Tenured Faculty

In those cases in which a tenured faculty member's overall annual performance is evaluated as unsatisfactory, the faculty member may appeal the evaluation to the dean within five days, by providing a written document outlining the reasons for the overall evaluation to be modified. The dean may either uphold the overall evaluation, or modify it. The decision of the dean is final, and may not be appealed. If the faculty member does not appeal the overall unsatisfactory evaluation, or if the dean upholds the overall unsatisfactory evaluation, the AUH shall inform the PAC and, in consultation with the faculty member, shall immediately design a professional development plan. The university will provide funding for a focused program of activities designed to improve performance agreed upon by the AUH and the faculty member. However, if the faculty member does not agree to the program chosen by the AUH, he or she will receive

no financial support from the university to improve his or her performance, but the faculty member will still have the responsibility to bring his or her performance up to satisfactory levels in the next annual performance appraisal.

While scheduling flexibility is appropriate, the development plan will be initiated at the earliest opportunity to effect positive change in the next annual performance appraisal. For details on post-tenure review, see [Faculty Handbook, Section III.E.8.](#)

2.5.12 Retention of Documentation

In those cases in which a faculty member's overall annual performance is evaluated as unsatisfactory, L&ET Human Resources Department will retain, for at least two years, copies of the materials considered in conducting the FAR.

2.5.13 First Year Review

During the Spring semester after the faculty member has completed at least six months of employment, the PAC will solicit peer evaluations and prepare a brief review on the faculty member's current progress toward tenure requirements. This document becomes part of the academic unit's record and is filed in L&ET Human Resources Department. If the six month point occurs during the summer months when a PAC typically does not work, the next sitting PAC will conduct this review.

2.5.14 Third-Year Review

In the faculty member's third year, the PAC will provide guidance and advice to the librarian on progress toward promotion and/or tenure. A copy of the review is given to the Dean, AUH and the supervisor. See the Third Year Review guidelines maintained by the PAC.

2.5.15 Confidentiality

All persons involved in the evaluation process shall respect and maintain the strict confidentiality of all relevant documents and deliberations.

2.6 Faculty Annual Review of Academic Unit Heads

AUH's will be evaluated annually by the Dean. For more information see [Academic Affairs Policy #2: Academic Unit Heads.](#)

3. Promotion in Academic Rank

The promotion of a faculty member shall be determined by merit regardless of the distribution of faculty by academic rank within the academic unit. Normally, a faculty member should have completed five years in academic rank before being reviewed for promotion. Though length of

407 service may be given consideration, it is not a sufficient basis for recommendation for
408 promotion.

409 **3.1 Compelling Case for Early Promotion**

410 To present a compelling case for early tenure and promotion to associate professor, a faculty
411 member must have completed at least four years as an assistant professor at JMU and be
412 evaluated by the AUH and AUPAC as *Excellent* in job performance and scholarship. The faculty
413 member must also be esteemed in the discipline, as attested by at least three letters of
414 recommendation from prominent people in the discipline.

415 To present a compelling case for early promotion to full professor, a faculty member must have
416 completed at least four years as an associate professor at JMU and be evaluated as *Excellent* in
417 job performance, scholarship, and service. The faculty member must also be esteemed in the
418 discipline, as attested by at least three letters of recommendation from prominent people in the
419 discipline.

420 Faculty members who wish to apply for early promotion must consult with the dean about
421 their candidacy by **March 1** of the academic year preceding their application. The dean will
422 advise the faculty member on the efficacy of that application by **April 1**. The dean will choose
423 the above-mentioned “prominent people in the discipline” from lists submitted by the faculty
424 members and her/his colleagues; the dean will then solicit those recommendations. Outside
425 reviews will be held confidential and not be shared with the faculty member. The faculty
426 member waives the right to see the recommendations by submitting an early application.

427

428 **3.2 Standards**

429 Job performance, scholarly achievement and professional qualifications, and professional
430 service are the bases for evaluating the performance of candidates for promotion in academic
431 rank. In each of these areas, the faculty member shall be evaluated as excellent, satisfactory or
432 unsatisfactory. Problems with a faculty member's conduct may disqualify a candidate for
433 promotion in academic rank. In the evaluation of faculty members being considered for
434 promotion in academic rank, the following standards apply:

435 **3.2.1 Assistant Professor**

436 At least satisfactory ratings in all areas are required for promotion to assistant professor.

437 **3.2.2 Associate Professor**

438 An excellent rating in one area and at least satisfactory ratings in the others are required for
439 promotion to associate professor.

3.2.3 Professor

Excellent ratings in two areas and at least a satisfactory rating in the third area are required for promotion to professor.

3.3 Criteria

These are not meant to be an exhaustive list of criteria. Other achievements in these three categories will be considered by the PAC.

3.3.1 Job Performance

- meeting goals as outlined in the FAR process
- performance on the FAR
- evidence of positive outcomes or innovation in job performance
- evidence of positive outcomes or innovation at L&ET enterprise level
- positive commitment to the mission of L&ET
- leadership

3.3.2 Scholarly Achievement and Professional Qualifications

Continuing Education

- Attending workshops and working conferences.
- Attending workshops, seminars, or working conferences which result in evidence of improved performance or positive changes within L&ET.
- Participating in staff seminars in various facets of librarianship, from which professional benefit will result.
- Formal coursework which enhances one's professional performance, not necessarily leading toward a degree. (Within this category are included courses which offer continuing education units, as well as those carrying traditional academic credits.)
- Holding an advanced degree other than the MLS, or enrollment in a formal course of study leading to such degree.

Scholarly Achievement

- Significant in-house research which influences services and activities of L&ET, e.g. research and proposal leading to a new service, scholarly bibliography, etc.
- Conducting staff seminars in various facets of librarianship, from which professional benefit will result.
- Presentation of papers; professional contributions to formally organized panels, forums, etc.; or other similar scholarly activities at the campus, regional, state, or national level.
- Publication of research in a national, regional, or state journal.
- Successful grant application.

3.3.3 Professional Service

- Evidence of contribution or leadership in committee service is particularly desirable.
- Evidence of significant committee impact or results will be given particular consideration.
- Active participation in committees at the following levels: L&ET, campus, state, regional, national.
- Attendance at and active participation in professional meetings on campus, state, regional, or national level.
- Donating or otherwise providing one's professional services to local organizations or institutions.

3.4 Procedures

The following policies and procedures apply to applications for promotion in academic rank:

1. The faculty member may apply for promotion, or the PAC or AUH may nominate a faculty member for promotion. Written nomination must be made by **September 1**. The faculty member shall be informed if the PAC or AUH has nominated the faculty member, and shall have the option to accept or decline the nomination without prejudice. The faculty member who wishes to be considered for promotion shall submit a summary of activities and accomplishments in the areas of job performance, scholarly achievement and professional qualifications, and professional service to the AUH and PAC by **October 1**. Failure by the faculty member to submit a summary of activities and accomplishments by the **October 1** deadline shall constitute a refusal of a nomination or withdrawal of an application, and no consideration of promotion is required.
2. If an AUH applies for promotion in faculty rank, or is nominated for promotion in faculty rank, the AUH shall submit a summary of activities and accomplishments in all areas to the dean and the PAC. The PAC will evaluate the AUH's performance and make its recommendation to the dean.
3. If a dean applies for promotion in faculty rank, or is nominated for promotion in faculty rank, the dean shall submit a summary of activities and accomplishments in all areas to the appropriate vice provost or the provost, and the PAC of the appropriate academic unit. The PAC will evaluate the dean's performance and make its recommendation to the appropriate vice provost or the provost.
4. A candidate for promotion may decline the nomination or withdraw from consideration at any time prior to receiving official notification of the promotion decision and may apply for promotion at a later date.
5. Although consultation among the PAC, AUH and dean is encouraged, the AUH and the PAC shall make independent evaluations of the facts and make independent recommendations.

6. Recommendations on promotion in academic rank shall be justified using the Libraries' criteria and based on the standards for promotion as set forth in [Faculty Handbook, Section III.E.6.a](#). The Libraries' specific criteria for promotion in academic rank shall be adopted by the PAC and approved by the Libraries' full-time faculty members, the AUH, dean, appropriate vice provost and provost. New full-time faculty members who will be eligible for promotion in academic rank must be given the Libraries' criteria during their first semester at the university. Existing promotion criteria may be modified by the PAC with the approval of a majority of the full-time faculty members in the academic unit, the AUH, dean, appropriate vice provost and provost.
7. The written recommendations of the PAC and AUH shall include a justification of their conclusions. The recommendations shall be submitted to the dean by **November 15**, and a copy of both recommendations shall concurrently be provided to the faculty member. After the dean has received both the PAC and AUH recommendations, a copy of the PAC recommendation shall be provided to the AUH, and a copy of the AUH recommendation shall be provided to the PAC.
8. The dean may consult with the PAC and shall make a recommendation after reviewing the recommendations of the AUH and the PAC (See [Faculty Handbook, Section IV.A.3.](#)). The written recommendation of the dean shall include a justification of his or her conclusions. The recommendations of the AUH, PAC and dean shall be submitted to the appropriate vice provost and the provost by **December 15**. The appropriate vice provost will make recommendations to the provost by **December 18**. After the recommendations have been received by the provost, a copy of the dean's recommendation shall be provided to the AUH, the PAC and the faculty member.
9. The recommendations on promotion in academic rank from the AUH, PAC, dean and appropriate vice provost shall be reviewed by the provost, who shall either deny the promotion or make a recommendation to grant the promotion. A decision by the provost to deny a promotion in academic rank terminates the consideration process; denial does not require action by the BOV.
10. In the absence of a timely written appeal, the decision by the provost to deny promotion becomes final and effective on the date of the notification. Official written notification shall be sent to the faculty member by **February 1**, with copies to the appropriate vice provost, dean, AUH and PAC concurrently. If the provost recommends granting promotion in academic rank, the recommendation shall be sent to the president by **February 1**, with copies to the appropriate vice provost, dean, AUH, PAC and faculty member concurrently. The notification of denial or recommendation to grant promotion in academic rank shall include a justification of the provost's decision.
11. If the provost recommends granting a promotion in academic rank, the president shall review the recommendation and either deny the promotion or make a recommendation to grant the promotion. A decision by the president to deny the promotion terminates the consideration process; denial does not require action by the BOV. Official written notification of denial shall be sent by the president to the faculty member by **February 15**, with concurrent copies to the provost, appropriate vice provost, dean, AUH and PAC. If the president recommends granting the promotion, the recommendation shall be sent

to the BOV. The BOV shall act on the recommendation, and notification of its decision shall be sent to the faculty member by the provost within 15 days after the BOV's meeting.

12. Official notification granting promotion shall only be conveyed to a faculty member after the formal action of the BOV. Promotions become effective at the beginning of the following academic year.

13. The provost's decision to deny a faculty member's promotion is appealable only upon the university's second denial of promotion in rank. Following a denied appeal, two subsequent denials of promotion in rank must occur before further right to appeal arises. The decision of the president or the BOV to deny promotion is not appealable.

14. In any appeal permitted by [Faculty Handbook, Section III.E.6.b.\(9\)](#), the faculty member shall submit a written notice of appeal to the Faculty Appeals Committee by **March 1**, setting forth the grounds for the appeal and a summary of the arguments and evidence he or she intends to present at a hearing. Upon receipt of an appeal, the chair of the Faculty Appeals Committee shall promptly send an acknowledgment of the receipt to the faculty member and shall notify the president, provost, appropriate vice provost, dean and AUH. If an appeal is filed, the provost shall appoint a person to serve as the respondent, representing the administration in the appeal process.

15. The Faculty Appeals Committee shall determine if a hearing is warranted. (See [Faculty Handbook, Section III.L.2.b.](#)) Grounds for appealing a denial of promotion are limited to failure of the university to follow its procedures or unreasonable or improper bases for denial of promotion.

a. If the Faculty Appeals Committee determines that a hearing should be granted, the procedures in [Faculty Handbook, Section III.L.2.c.](#) shall apply. In the hearing, the faculty member shall have the burden of establishing that the procedures were not followed or that the university used unreasonable or improper bases for the denial of promotion.

b. If the Faculty Appeals Committee determines that a hearing shall not be granted, the faculty member, respondent, speaker, provost and president shall be notified that the appeal has been denied. If the appeal is denied by the Faculty Appeals Committee, the decision of the provost on the denial of promotion becomes final. If the appeal is denied by the Faculty Appeals Committee, the decision of the provost becomes final, effective on the date of the notice of denial by the Faculty Appeals Committee.

16. All persons involved in the promotion process shall respect and maintain the confidentiality of all relevant documents and deliberations.

4. Tenure

Tenure does not apply to administrative or professional positions within the university, except for professional librarians. It is a concept with application only to the academic faculty of the

593 university, including professional librarians. Tenure may only be awarded through the
594 approval of the appropriate academic unit and the academic affairs administration of the
595 university.

596 **4.1 Purpose**

597 Tenure is intended to protect academic freedom, provide a reasonable measure of employment
598 security and enable the university to retain a permanent faculty of distinction. The BOV is the
599 only authority that can award tenure or make a commitment that promises tenure. When
600 applying for tenure, it is customary to apply for promotion at the same time, though this is not
601 a requirement. If an application for tenure also includes an application for promotion, the
602 procedures and standards to be used are the tenure procedures and standards. An applicant for
603 both promotion and tenure may withdraw either application, and proceed with the remaining
604 application, using the procedures for the remaining application from the point of withdrawal. A
605 withdrawal of a tenure application in the penultimate year of a probationary period will be
606 deemed a resignation effective at the end of the probationary period. ([See Faculty Handbook](#)
607 [Section III.E.7.f.](#))

608 **4.2 Orientation**

609 During the first six months of the new faculty member's employment, the PAC shall hold a
610 meeting with the faculty member to advise them on the promotion and tenure process within
611 the Libraries. It is at this meeting that the faculty member's individual promotion and tenure
612 calendar will be established. This calendar will be shared with the dean and the faculty
613 member's AUH.

614 **4.3 Probationary Period**

615 When a faculty member is hired on tenure track, the agreed probationary period preceding
616 consideration for tenure shall be stated in the initial employment contract. The maximum
617 probationary period is seven years. Applications made prior to the penultimate year of the
618 probationary period may be considered but will receive favorable review only upon
619 presentation of compelling evidence of accomplishment by the faculty member.

620 **4.4 Compelling Case for Early Tenure**

621 To present a compelling case for early tenure and promotion to associate professor, a faculty
622 member must have completed at least four years as an assistant professor at JMU and be
623 evaluated by the AUH and PAC as "Excellent" in job performance and scholarship. The faculty
624 member must also be esteemed in the discipline, as attested by at least three letters of
625 recommendation from prominent people in the discipline.

626 To present a compelling case for early promotion to full professor, a faculty member must have
627 completed at least four years as an associate professor at JMU and be evaluated as "Excellent"

in job performance, scholarship, and service. The faculty member must also be esteemed in the discipline, as attested by at least three letters of recommendation from prominent people in the discipline.

Faculty members who wish to apply for early promotion must consult with the dean about their candidacy by **March 1** of the academic year preceding their application. The dean will advise the faculty member on the efficacy of that application by **April 1**. The dean will choose the above-mentioned “prominent people in the discipline” from lists submitted by the faculty members and her/his colleagues; the dean will then solicit those recommendations. Outside reviews will be held confidential and not be shared with the faculty member. The faculty member waives the right to see the recommendations by submitting an early application.

4.5 Suspensions

The faculty member and the AUH may agree to suspend the running of the probationary period for a specific period of time under appropriate circumstances and with the approval of the dean and appropriate vice provost or provost. Appropriate circumstances may include medical or family needs and other situations warranting a temporary suspension of the tenure clock. A faculty member has the right to suspend the tenure clock for a year if he or she takes one or more non-intermittent FMLA leaves totaling six weeks or more of leave during the pre-tenure period. See Faculty Handbook Sections [III.J.1.b.\(2\) Family and Medical Leave](#), and [JMU Manual of Policies and Procedures, Policy 1308, Family and Medical Leave](#). FMLA qualifying events that occur during periods when the faculty member is not assigned any duties, but that would have warranted six weeks or more of FMLA leave during the period when the faculty member is assigned duties, also qualify for tenure-clock suspension. In any case, the faculty member must notify the AUH of his or her decision to exercise this option within 90 days of the qualifying event or circumstance. Failure to notify the AUH will waive the right to suspend the tenure clock. No faculty member may exercise this option more than twice during the probationary period.

4.6 Extensions

Faculty members on less than a seven-year probation may, by agreement with the AUH and with the approval of the dean, have the probationary period extended to a maximum of seven years.

4.7 Standards

The award of tenure is based on the qualifications, performance and conduct of individual faculty members and the long-term needs, objectives and missions of the academic unit, college and university. To be awarded tenure, the faculty member must meet performance and conduct standards required for promotion to associate professor and should enhance the academic environment of the academic unit and the university.

Length of service is not a sufficient basis for recommendation for tenure. Tenure may be denied on any legitimate grounds including the lack of need for a faculty member in the particular academic unit or academic specialization, program reduction or elimination, financial exigency, or conduct. Problems with a faculty member's conduct may disqualify a candidate for tenure. Job performance, scholarly achievement and professional qualifications, and professional service shall be used in evaluating the performance of a candidate for tenure. A faculty member's pattern of prior FARs should be carefully considered in the analysis of an application for tenure, but administration and the PAC should use judgment and discretion in making recommendations on tenure.

4.8 Procedures

The following policies and procedures apply to applications for tenure:

1. A faculty member in the penultimate year of the probationary period must apply for tenure and submit a summary of activities and accomplishments in the areas of job performance, scholarly achievement and professional qualifications, and professional service to the AUH and PAC by **October 1**.
2. If an AUH applies for tenure, the AUH shall submit a summary of activities and accomplishments in all areas to the dean and the PAC. The PAC will evaluate the AUH's performance and make its recommendation to the dean.
3. In all cases, a candidate for tenure may withdraw from consideration prior to receiving official notification of the tenure decision. Withdrawal from tenure consideration in the penultimate year of the probationary period will be considered resignation effective at the end of the probationary period, and no further applications for tenure may be submitted within the Libraries. Withdrawal from an early tenure consideration (in any year earlier than the penultimate year) will not prohibit the faculty member from applying for tenure at a later date, as long as the application is submitted by the penultimate year of the probationary period.
4. Although consultation among the PAC, AUH and dean is encouraged, the AUH and the PAC shall make independent evaluations of the facts and make independent recommendations, and should clearly indicate a positive or negative recommendation on tenure.
5. Recommendations on tenure shall be justified using the Libraries' criteria and based on the standards for promotion to associate professor as set forth in [Faculty Handbook, Section III.E.6.a](#). The Libraries' tenure criteria shall be adopted by the PAC and approved by full time faculty members, the AUH, dean, appropriate vice provost and provost. New full-time faculty members on tenure track must be provided the Libraries' tenure criteria during their first semester at the university.
6. Existing tenure criteria may be modified by the PAC with agreement of a majority of the full-time faculty members, with approval of the AUH, dean, appropriate vice provost and provost.
7. The written recommendations of the PAC and AUH shall include a justification of their conclusions. The recommendations shall be submitted to the dean by **November 15**,

and a copy of both recommendations shall be provided to the faculty member. After the dean has received both the PAC and AUH recommendations, a copy of the PAC recommendation shall be provided to the AUH, and a copy of the AUH recommendation shall be provided to the PAC.

8. The dean may consult with the PAC and shall make a recommendation after reviewing the recommendations of the AUH and the PAC (See [Faculty Handbook, Section IV.A.3.](#)). The written recommendation of the dean shall include a justification of his or her conclusions. The recommendations of the AUH, PAC and dean shall be submitted to the appropriate vice provost and the provost by **December 15**. The appropriate vice provost will make recommendations to the provost by **December 18**. After the recommendations have been received by the provost, a copy of the dean's recommendation shall be provided to the AUH, PAC and faculty member.
9. Recommendations on tenure from the AUH, PAC, dean and appropriate vice provost shall be reviewed by the provost, who shall either deny tenure or make a recommendation to award tenure. A decision by the provost to deny tenure terminates the consideration process; denial does not require action by the president or the BOV. In the absence of a timely written appeal, the decision by the provost to deny tenure becomes final and effective on the date of the notification.
10. Official written notification of denial shall be sent to the faculty member by **February 1**, with concurrent copies to the appropriate vice provost, dean, AUH and PAC. If the provost recommends awarding tenure, the recommendation shall be sent to the president by **February 1**, with concurrent copies to the appropriate vice provost, dean, AUH, PAC and faculty member. The provost's notification of denial or recommendation to award tenure shall include a justification.
11. If the provost recommends awarding tenure, the president shall review the recommendation and either deny tenure or make a recommendation to award tenure. A decision by the president to deny tenure terminates the consideration process; denial does not require action by the BOV. The decision of the president or the BOV to deny tenure is not appealable. Official written notification of denial shall be sent by the president to the faculty member by **February 15**, with concurrent copies to the provost, appropriate vice provost, dean, AUH and PAC. If the president recommends awarding tenure, the recommendation shall be sent to the BOV. The BOV shall act on the recommendation, and notification of its decision shall be sent to the faculty member within fifteen days after the BOV's meeting.
12. Official notification awarding tenure may be conveyed to a faculty member only after the formal action of the BOV. The award of tenure becomes effective at the beginning of the following academic year.
13. To appeal a tenure denial by the provost, the faculty member shall submit a written notice of appeal to the Faculty Appeals Committee by **March 1** setting forth the grounds for the appeal and a summary of the arguments and documentation he or she intends to present at a hearing. Upon receipt of an appeal, the chair of the Faculty Appeals Committee shall promptly send an acknowledgement of the receipt of the appeal to the faculty member and shall notify the president, the provost, appropriate vice provost, dean and AUH. If an appeal is filed, the provost shall appoint a person to serve as the respondent representing the administration in the appeal process.

14. The Faculty Appeals Committee shall determine if a hearing is warranted. (See [Faculty Handbook, Section III.L.2.b.](#)) Grounds for appealing a denial of tenure are limited to failure of the university to follow its procedures or unreasonable or improper bases for denial of tenure.
- a. If the Faculty Appeals Committee determines that a hearing should be granted, the procedures in [Faculty Handbook, Section III.L.2.c.](#) shall apply. In the hearing, the faculty member shall have the responsibility to establish that the procedures were not followed, or that the university used unreasonable or improper bases for the denial of tenure.
 - b. If the Faculty Appeals Committee determines that a hearing shall not be granted, the faculty member, respondent, speaker, provost and president shall be notified that the appeal has been denied. If the appeal is denied by the Faculty Appeals Committee, the decision of the provost on the denial of tenure becomes final and effective on the date of the denial of appeal.
15. Faculty members on tenure track who are denied tenure at any point during the probationary period shall be given a one-year terminal contract, and may not apply for tenure again in the Libraries. Notice of non-reappointment shall be given not later than **May 1** of the penultimate year of the probationary period.
16. All persons involved in the tenure process shall respect and maintain the strict confidentiality of all relevant documents and deliberations.

5. Post-Tenure Review

The granting of tenure anticipates that a faculty member will retain his or her academic position, absent unusual circumstances. Post-tenure review should be used to encourage faculty development and productivity if a tenured faculty member fails to maintain a satisfactory level of performance.

5.1 Development Plan

If a tenured faculty member's overall annual performance is found to be unsatisfactory in the FAR process (See [Faculty Handbook, Section III.E.4.](#)), a development plan shall be designed and executed as specified in [Faculty Handbook, Section III.E.4.k.](#)

5.2 Remediation Recommendation

If a tenured faculty member's overall annual performance has been found to be unsatisfactory in two of the three most recent FARs, the AUH shall recommend that the faculty member undergo remediation. Notification shall be sent by the AUH to the faculty member by **November 1**, with a copy sent to the PAC and the dean.

5.3 PAC's Review of Remediation Recommendation

The PAC shall review the tenured faculty member's FARs and make an independent appraisal of whether the faculty member's performance over the last three years has been satisfactory or unsatisfactory overall. The PAC shall submit its written evaluation to the dean by **November 30**, with copies to the AUH and faculty member concurrently. The evaluation shall include a justification of the PAC's conclusions, using the academic unit's criteria. A conclusion that performance has been unsatisfactory must be supported by substantial evidence.

5.4 Dean's Review of Remediation Recommendation

The dean shall review the tenured faculty member's FARs and the PAC's evaluation of the faculty member's overall performance. The dean shall provide a separate written evaluation. The evaluation shall conclude whether the faculty member's overall performance has been satisfactory or unsatisfactory over the last three years. The evaluation shall include a justification of the dean's conclusions using the academic unit's criteria. A conclusion that performance has been unsatisfactory must be supported by substantial evidence.

5.5 Remediation

A plan of remediation will be required if the dean concludes that the overall performance of the tenured faculty member has been unsatisfactory. The dean shall send notification of whether or not remediation will be required to the faculty member by **December 15**, with concurrent copies to the AUH and PAC.

5.6 Appeal of Remediation Decision

A tenured faculty member may appeal a decision to require remediation to the appropriate vice provost or the provost. The appeal shall be in writing and must be submitted within seven days of receiving notification from the dean that a remediation plan is required. The appropriate vice provost or the provost shall send to the faculty member a written response to the appeal by **February 1**, with concurrent copies to the AUH, PAC and the dean, and shall include a justification of his or her conclusions. A conclusion that performance has been unsatisfactory must be supported by substantial evidence.

5.7 Remediation Plan

The AUH, in consultation with the PAC and the tenured faculty member, shall devise a remediation plan that respects academic freedom and professional self-direction.

The plan shall include specification of activities to be performed, the desired objectives covering all aspects of the faculty member's performance and the requirements for a plan report to be submitted by the faculty member at the conclusion of the remediation period. It

817 should be flexible enough to allow for subsequent alteration. Development of the plan shall
818 proceed during consideration of any appeal of the need for a plan. (See [Faculty Handbook](#),
819 [Section III.E.8.f.](#)) A copy of the plan shall be sent to the faculty member by **February 1**, with a
820 concurrent copy to the dean.

821 **5.8 Appeal of Plan Contents**

822 A tenured faculty member may appeal the contents of the remediation plan to the appropriate
823 vice provost or the provost. The appeal shall be in writing and must be submitted within seven
824 days of receiving the plan. The appropriate vice provost or provost shall send to the faculty
825 member a written response to the appeal by **March 1**, with concurrent copies to the AUH and
826 the dean.

827 **5.9 Report of Faculty Member**

828 The tenured faculty member will have the remainder of the academic year in which the plan
829 was developed plus the next full academic year to accomplish the objectives of the plan. By
830 **October 1** following the next full academic year, the faculty member shall submit the
831 remediation plan report to the AUH and the PAC.

832 **5.10 Academic Unit's Review of Plan Completion**

833 The AUH and the PAC shall prepare separate written evaluations of the tenured faculty
834 member's accomplishment of the objectives of the plan. The evaluations shall include a
835 justification of their conclusions and shall be submitted to the dean by **November 15**. After the
836 evaluations have been received by the dean, copies shall be provided to the faculty member.

837 **5.11 Dean's Review of Plan Completion**

838 The dean shall review the evaluations of the AUH and PAC and prepare an independent
839 evaluation. The dean's evaluation shall include a justification of its conclusions. The evaluations
840 of the AUH, PAC and dean shall be submitted to the appropriate vice provost or the provost by
841 **December 15**. After the evaluations have been received by the appropriate vice provost or the
842 provost, a copy of the dean's evaluation shall be provided to the AUH, PAC and faculty member.

843 **5.12 Vice Provost's or Provost's Determination**

844 The appropriate vice provost or the provost shall review the evaluations of the AUH, PAC and
845 dean and shall determine whether the faculty member has satisfactorily accomplished the
846 objectives of the remediation plan. If the appropriate vice provost and the provost conclude
847 that the faculty member has satisfactorily completed the objectives of the plan, the remediation
848 phase of the post-tenure review process will be closed, although faculty development activities
849 may continue as recommended by the AUH or dean. If the appropriate vice provost determines

that the faculty member has not satisfactorily accomplished the objectives of the plan and that sanctions are appropriate, a recommendation on this issue shall be sent by the vice provost to the provost. If the provost determines that the faculty member has not satisfactorily accomplished the objectives of the plan and that sanctions are appropriate, the provost shall confer with the PAC before deciding on the appropriate sanction.

5.13 Sanctions

Sanctions may include but are not limited to reduction in salary or dismissal.

5.14 Notice of Sanctions

Written notice of the provost's determination and sanctions shall be sent to the faculty member by **February 1**, with copies to the AUH, PAC, dean and appropriate vice provost. The notification shall include a rationale for the provost's determination and any sanction. If the sanction is dismissal, it shall include the effective date of dismissal. In the absence of a timely written appeal by the faculty member, the decision of the provost is final, and the sanction is effective on the date specified by the provost.

5.15 Appeal of Sanctions

All appeals shall be in writing. A tenured faculty member has 30 days from the receipt of a written notice of sanctions to submit a written appeal to the Faculty Appeals Committee. The written appeal shall set forth the grounds for the appeal and summary of the arguments and documentation the faculty member intends to present at a hearing. Upon receipt of an appeal, the chair of the Faculty Appeals Committee shall promptly send an acknowledgement of the receipt of the appeal to the faculty member and shall notify the president, the provost, the appropriate vice provost, the dean and AUH. If an appeal is filed, the provost shall appoint the AUH or an administrative designee to serve as the respondent, representing the administration in the appeal process.

5.16 Faculty Appeals Committee

The Faculty Appeals Committee shall determine if a hearing is warranted. (See [Faculty Handbook, Section III.L.2.b.](#)) Grounds for appealing a sanction following a post-tenure review are limited to failure of the university to follow its procedures, lack of a legitimate basis for the sanction to be imposed, or the imposition of an unreasonable sanction.

- If the Faculty Appeals Committee determines that a hearing should be granted, the procedures in [Faculty Handbook, Section III.L.2.c.](#) shall apply. In the hearing, the respondent shall have the responsibility to establish that the procedures were followed, that there were legitimate bases for the sanction to be imposed and that the sanction is reasonable.

- 884 • If the Faculty Appeals Committee determines that a hearing shall not be granted, the
885 faculty member, respondent, speaker, provost, and president shall be notified that the
886 appeal has been denied. If the appeal is denied by the Faculty Appeals Committee, the
887 decision of the provost becomes final, effective on the date of the notice of denial by the
888 Faculty Appeals Committee.

889 **5.17 Confidentiality**

890 All persons involved in the post-tenure review process shall respect and maintain the strict
891 confidentiality of all relevant documents and deliberations.